

JAMESTOWN CHARTER TOWNSHIP
PLANNING COMMISSION

REGULAR MEETING
FEBRUARY 21, 2017
7:00 PM

MINUTES

CALL TO ORDER -

Chairperson Smith called the meeting to order at 7:00 pm.

ROLL CALL -

Commissioners Dykstra, Zomerlei, Ymker, Smith, Woltjer and DeHoog were present, with Planner Ransford. Commissioner Tacoma was absent with notice.

INVOCATION-

Commissioner DeHoog gave the invocation.

APPROVE MINUTES FROM THE JANUARY 17, 2017 REGULAR MEETING -

Commissioner Dykstra provided the motion, supported by Commissioner Ymker, to approve the January 17, 2017 Regular Meeting Minutes.

MOTION CARRIED – UNANIMOUSLY.

APPROVE AGENDA-

Commissioner DeHoog provided the motion, supported by Commissioner Woltjer, to approve the evening's agenda.

MOTION CARRIED – UNANIMOUSLY.

GENERAL CITIZEN COMMENTS REGARDING NON-AGENDA ITEMS -

None.

NEW BUSINESS -

*Public Hearing – Text Amendment Section 3.2 M – Accessory Buildings, Structures and Uses -

Commissioner Dykstra provided the motion, supported by Commissioner Ymker, to open the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Chairperson Smith read from Planner Ransford's February 4, 2017 Memorandum and explained to the residents attending that the purpose of the recommended revision to Section 3.2M was necessitated by the revision to Section 3.2J of the Jamestown Charter Township Zoning Ordinance (JCTZO), eliminating the authority of the Planning Commission to grant relief from maximum heights of eaves and buildings, in order to save the township and its citizens money and redundancy in the local government. As both Sections of the JCTZO referred to this authority of the Planning Commission, both needed to be revised in order to have clarity and consistency in the JCTZO. Mr. Smith stated that dimension relief is typically taken care of by the Zoning Board of Appeals through variance procedures.

Since there were no questions, Commissioner Dykstra provided the motion, supported by Commissioner Zomerlei, to close the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Commissioner Dykstra provided the motion, supported by Commissioner DeHoog, to revise Section 3.2M of the JCTZO, by removing the last sentence of that section (#4), which reads: "An increase in the eaves height of a detached garage or residential or non-residential accessory building above the limit allowed as a matter of right under the provisions of Section 3.2J."

MOTION CARRIED – UNANIMOUSLY.

Chairperson Smith pointed out that the Public Hearing for the map amendment/ rezoning for Action Water Sports, originally scheduled on the Agenda for the evening, had been withdrawn.

*Plats – Spring Grove Farms – Final Preliminary Plat Phase 4 -

Chairperson Smith explained the site plan had been slightly changed because the Ottawa Road Commission's recommendations resulted in 1 less lot and a change in the number of trees recommended. Commissioners perused the memorandum provided by Planner Ransford and briefly discussed the following: assuring adequate financial security, landscaping and berm trees, types of trees, and the

suggestion that a dollar amount for the landscaping be part of the Planning Commission's recommendation to the Jamestown Charter Township Board.

Commissioner Zomerlei provided the motion, supported by Commissioner Ymker, to approve the Final Preliminary Plat Phase 4 for Spring Grove Farms, stipulating that the Jamestown Charter Township Board ensure there is adequate financial backing for the landscaping.

MOTION CARRIED – UNANIMOUSLY.

OLD BUSINESS -

*Special Use -

**Chapel Cup & Cone – 2361 Riley Street – 70-18-10-360-037 – Seeking building additions and drive-thru -

Chairperson Smith explained to the residents present that the existing plans needed no changes, only a change for the drive-thru.

Cal Becksvoort, from Latitude Engineering, noted the planned hours of operation, as follows: The Cup and Cone will operate with fluctuation of operating hours dependent on the specific season of the year. During the summer months, the hours of operation will be from 6:00 AM until 10:00PM. The winter operating hours would be from 6:00AM until 3:00PM. Transitional hours of operation for the spring and fall may be implemented dependent on seasonal conditions and market demand. The transitional hours will fall between the projected closing of 10:00PM and 3:00PM. The starting hour of 6:00AM will remain in effect throughout the year. Mr. Becksvoort also provided an explanation of the drive-thru maneuvering, explaining: the site plan has been revised to clarify the proposed drive-thru lane would consist of a 12' wide one-way corridor along the southern edge of the existing parking area directly to the north of the structure. The entrance into the drive-thru lane would be located at the eastern limits of the parking area and extend to the easterly edge of the existing entrance drive into the joint properties.

Commissioner discussion ensued, including: the southeast quadrant of the property; the ingress and egress involving Riley and Riley Court, as well as how much 24th and Riley Street would be involved; the property being in the commercial (C-1) Zoning District and how it is taxed; the village overlay in the Master Plan of the Jamestown Charter Township; peak times of business overlapping with peak times of residential traffic; the concern that if this special use is approved, any future owner would have the right to a drive-thru, such as a liquor store, etc.; the current liquor store in Jamestown operating under C-1; the facade for the proposed business and the building itself meeting code; the Master Plan stating that the township should ensure retention of the township's character and enhance the roadside "feel"; the committee recommending the landscape waiver; the primary concern being the safety issue of school children during the school year and neighborhood children playing and riding bikes; if an accident occurred within the property whether the township or the property owners would take responsibility; traffic control alternatives being a landscape island, painting lines, and/or tapering the entrance; the Cup and Cone requiring a waiver of liability be supplied by Jamestown Charter Township; the history of the church changing hands and becoming a restaurant; the surrounding residents being responsible to maintain the parking lot; the area perhaps physically unable to support that kind of traffic; and, finally, the fact that for the sake of the township, its residents, and community, it all came down to the safety issue for all concerned.

Commissioner Woltjer provided the motion to deny the Special Use Application by the Cup and Cone for a drive-thru, based on the public safety issue, the consensus of the Commissioners, and the evening's discussion.

MOTION CARRIED - with Commissioners Dykstra, Zomerlei, Smith, Woltjer, and Dehoog voting "aye" and Commissioner Ymker voting "nay".

*Meijer, Inc. Traffic Study -

Chairperson Smith read from the February 4, 2017 memorandum, provided by Planner Ransford, as follows:

"The traffic study did reveal that improvements are necessary to the roadway network as a result of the proposed use. Below are the findings of the study that Meijer and the Ottawa County Road Commission (OCRC) will take care of prior to the store opening or will monitor after the stores opens, as a result of numerous discussions with the Township, County, and City of Hudsonville. These items were documented and supplied by the Township engineers, Vriesman and Korhorn:

*Meyer will contribute 50% to the left-turn signal heads and timing changes at 32nd Avenue and Quincy Street.

*The need for a separate westbound right-turn lane on Quincy Street at 32nd Avenue will be reviewed after the store is open - they plan to wait and see what traffic looks like. This turn lane may be costly due to the need to relocate the existing bike-path and retaining wall on the north side of the road for space. This upgrade is based on background traffic growth and is recommended regardless of whether Meijer opens or not.

*The plan is also to wait and see on the separate left-turn lane on Central Parkway at Quincy Street, and if a solution is needed, they may be re-painted. This upgrade is based on background traffic growth and is recommended regardless of whether Meijer opens or not.

*There are other traffic items outside of the Township's borders that Meijer is handling with the city of Hudsonville (and potentially MDOT)."

Commissioner discussion ensued, including: That the traffic study cannot affect the permission to build; the thought that paving Quincy Street is the responsibility of the City of Hudsonville; the fact that Jamestown Charter Township, the city of Hudsonville, Ottawa County, and Meijer, Inc. would all be involved in the traffic flow issue; the north entrance to the new Meijer store would be in the City of Hudsonville; and how close Meijer, Inc. is to actually building.

Commissioner DeHoog provided the motion, supported by Commissioner Dykstra, to accept the results of the traffic

study and agree to the conditions.

MOTION CARRIED – UNANIMOUSLY.

EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY -

Sharon Berwerff opined that the only ones in compliance were themselves, as owners of the Cup and Cone.

Sharon Herrema, of 3345 24th Avenue, stated they had lived in Jamestown Charter Township for 29 years, and supported the Bergwerffs. Ms. Herrema also mentioned that she had thought there would be a bike path built soon that would take care of or help with safety concerns.

Jim Buchanan, of 2304 Riley Street, reflected that it was nothing against the Bergwerffs, but there had been multiple accidents near the Auto Repair Shop when the churches had been open and that he supported what the Planning Commission had decided.

Tina Hales, of 2325 Riley Court, noted she supported that decision, as well, out of concern for the children's safety, and the unwanted increase in traffic.

Diane Powlus, of 2333 Riley Court, stated she felt the same way for the same reasons. Ms. Powlus remarked that they had two grandchildren living there and thanked the Commissioners for listening to their expressed concerns.

Jim Herrema, of 3345 24th Avenue, observed that he was disappointed the vote had been taken already that evening, thinking the Bergwerffs should have been given more time.

Ron Koroleski, of 2967 8th Avenue, expressed that “no” is the hardest word to say but sometimes it is the right thing. He also pointed out that the township is getting larger and larger, building new paths all the time. Mr. Koroleski then praised the Planning Commission, stating his opinion that they did a phenomenal job, that we must look to the future, that progress is hard, applauding the evening's decision.

Amy Bolthouse, of 2340 Riley Street and partial owner of the Little Dipper, explained that she has high school children, thanking the Planning Commissioners for caring.

Sharon Bergwerff asserted that when the Site Plan Review Committee met, none of the safety concerns that had come up with the Planning Commissioners were even discussed in that evening's meeting. Ms. Berwerff reflected that it did not seem fair because of the neighborhood use of the parking lot that she and her husband are maintaining. Also, she stated that the 6 items brought up in the December meeting had all been addressed and taken care of, but the safety issue had never been brought up then either. Ms. Bergwerff expressed her feelings that the decision to deny the Special Use Request for a drive-thru for the Cup and Cone seemed arbitrary and capricious and that they, as owners, would appeal.

Ken Bergwerff, Township Supervisor, stated there were two things he would like to comment on. First that, like his wife, he felt blindsided, considering what had happened at the Site Plan Review Committee meeting. He expressed that compared to the busloads that used to come to Noel Restaurant, the complaints regarding safety baffled him. Secondly, he expressed his opinion that Meijer, Inc. would play hardball until the first shovel hit the ground. He informed those present that there had been multiple meetings thus far and there were many details yet to be ironed out, that Daniela Garcia had been involved, and that it would be a minimum of 6-8 months before all this takes place.

CORRESPONDENCE -

None.

PLANNING COMMISSION COMMENT -

Planner Ransford informed the Commissioners that next month would be busy with a full agenda, involving two new developments and various bike path possibilities.

Commissioners briefly discussed bike paths and their maintenance, as well as the current evening's meeting.

ADJOURNMENT -

Commissioner Woltjer provided the motion, supported by Commissioner Dykstra, to adjourn.

MOTION CARRIED – UNANIMOUSLY.

Time: 8:45 pm.

MINUTES SUBMITTED BY -

Sandy VanAntwerp