

ROBINSON TOWNSHIP PLANNING COMMISSION
March 14, 2024

The special meeting of the Robinson Township Planning Commission was called to order at 7:00 PM at the Robinson Township Hall.

Present

Shawn Martinie
Bill Maschewske
Travis Vugteveen
Michelle Gillespie
Lydia Brown
Phil Crum

Absent

Steve Young

Also present were Township Attorney Ron Bultje, Zoning Administrator Julie Lovelace, contracted Township Planner Gregory Ransford, Joel Smeenge representing the Smeenge Site Plan and Special Use Application, Mark Sloothaak representing his mining interests in the Township. The attendance sheet is attached.

Approval of Agenda

A motion was made by Travis Vugteveen and seconded by Michelle Gillespie to approve the meeting agenda as written.

The motion carried unanimously with one member absent.

Adopting of Previous Minutes

A motion was made by Travis Vugteveen and seconded by Lydia Brown to approve as corrected the minutes of the February 21, 2024 Planning Commission meeting. The correction changed the date of the first regularly scheduled meeting of the Planning Commission for 2024 – 2025 from March 6, 2024 to March 26, 2024 on page 6 of the minutes.

The motion carried unanimously with one member absent.

Master Planning

Contracted Planner Gregory Ransford noted that the 63- day comment period for surrounding municipalities and utilities had ended and one comment had been received from Mark Sloothaak. Mr. Sloothaak requested relief from the requirements in Chapter 3 of the draft document for both water and sewer to be present in the MDR (Medium Density Residential) Classification (corresponds to R-1 in Zoning) for the development of a Planned Unit Development, Site

Condominium, or Plat Development. He noted the mining operations have been taking place for many years and the available space for a residential end use can no longer comply with Low Density Residential.

Chairperson Martinie – Noted that the Emerald Lakes mine site is preparing a Site Plan for their end use as Residential in addition to the sites owned by Mr. Sloothaak. He inquired if there were any other residential development methods not included in the restriction in the draft Master Land Use Plan.

Gregory Ransford – Meets and bounds would be the only other option and it would place limitations on the number of splits.

Chairperson Martinie—When will you be ready to develop the 108th Ave. site?

Mark Sloothaak – Stated he does not plan to develop for at least 10 years.

Lydia Brown – Is there a way to recognize that the mining operations predated the updated Master Land Use Plan?

Township Attorney Bultje – Suggested an exception for mines.

Travis Vugteveen – Suggested grandfathering for existing mine sites.

Bill Maschewske– Suggested using Low Density Residential (RR eventual zoning) for existing mining sites and making an exception to allow water area to count towards the calculation of lot area. This would require a Zoning Ordinance amendment.

Township Attorney Bultje – Suggested the Planning Commission take the matter under advisement. The Planning Commission should take into consideration the Master Utility Plan, the Master Land Use Plan update, and Zoning. The plans should show where to encourage and where to discourage utilities. Do not try to decide this issue tonight.

Mr. Sloothaak – Noted that the Clark Farm site was designated Planned Unit Development in the original General Development Plan.

A motion was made by Michelle Gillespie and seconded by Lydia Brown to table discussion of the draft Master Land Use Plan regarding comments received during the 63- day comment period.

The motion carried unanimously with one member absent.

The next Planning meeting was scheduled for April 9, 2024.

At 8:05 PM., a motion was made by Travis Vugteveen and seconded by Michelle Gillespie to untable the Smeenge Special Use and Site Plan applications, The motion carried unanimously with one member absent.

Chairperson Martinie inquired if anyone had any comments from Section 31.7, Required Data for Detailed Site Plan, from the Zoning Ordinance regarding the pending Smeenge Site Plan.

Chairperson Martinie noted the following:

31.7(E) – We still do not have identification of uses across the street from the subject property.

Zoning Administrator Lovelace noted that the parcels are zoned R-1 and used residentially.

31.7(i) – The natural gas lines that were thought to be missing were identified.

31.7(N) – What trees are still proposed to be removed?

Response from Joel Smeenge – None.

Bill Maschewske questions/comments. Responses/resolutions are in italics.

1. Why is no boat slip area shown on the East side of the existing dock?

Joel Smeenge – There is on one of the plans. He has EGLE dock permits.

2. Since the septic drain fields are sized for seasonal occupancy, should there be a full-time occupancy restriction?

The consensus of the Planning Commission was no.

3. If the porch on the East side of the existing building is just a roof and a concrete slab, is this really an encroachment on the side yard requirement per the Zoning Ordinance?

Zoning Administrator Lovelace stated “yes” since the overhead awning would be supported by posts in the ground.

4. Would it be appropriate to prohibit short-term rental of the dwelling units.

Joel Smeenge – The units will be exclusively single-family owner occupied.

5. The Requirements statements on sheet C-2 of the Site Plan incorrectly state that there will be a 6 unit building 60 ft. by 150 ft.

Joel Smeenge – Stated this will be corrected in the plans.

6. The edge of the drain field for the West new building will only be approximately 15 ft. from the stormwater drain. Is this acceptable?

The consensus of the Planning Commission was this was a Health Department issue.

7. Are the areas on the site less than 593 ft. elevation considered flood plain? J

After further review, it was agreed areas below 593 ft. elevation were not being filled at the Southwest corner of the property.

8. The retaining wall shown on Sheet C-2 of the Site Plan encroaches to elevations less than 593 ft.

Joel Smeenge – This will be revised to stay out of the flood plain.

9. Lighting Plan E-2 does not meet the requirements of the Zoning Ordinance. A minimum of 0.2 foot-candles are required for all walkways. The walkways between the new buildings and North of the new buildings does not meet this requirement. Additionally, there is no lighting on the back side of all buildings where there are entrances.

Joel Smeenge – State he would submit a revised lighting plan.

10. The amount of dwelling space with some floor options exceeds the Residential intent of the B-2 Special Use.

The consensus of the Planning Commission was to require 50% minimum of each unit to be storage full height.

11. Need Master Deed and By-Laws.

The Planning Commission agreed to require Township Attorney approval prior to issuance of a building permit.

12. The pump house at the East end of the East new building violates the side yard setback. 25 ft. is required and the building is only 22 ft. from the property line. See Sheet C-2.

Applicant Joel Smeenge agreed to revise the dimensions of the pump house so it would not violate the side yard setback requirements.

13. Where are the uses and zoning of adjacent properties shown?

It was agreed that it was in the Planning Commission minutes in addition to the application and this was acceptable.

14. Section 31.7(o) requirement in the Zoning Ordinance. Will the air conditioning units cause excessive noise near the adjacent residence to the West? The air conditioning units also violate the side yard requirements if they are taller than 30 inches per the Zoning Ordinance.

Applicant Joel Smeenge agreed to move the air conditioning units out of the required side yard. A revised Site Plan would be submitted to show this.

15. The Special Use application contains errors.

Per the applicant, the sizes are to be deleted from Section B. and the response to Section E. 2. c. is they will comply with Township Ordinances. The application will be corrected.

Section E. 4 – Internal Pedestrian Circulation – There are no sidewalks to the boat docks. The consensus of the Planning Commission and the Zoning Administrator is that this requirement only applies to parking.

16. The new location of the garbage dumpster and screening violates the side yard requirement. 25 ft is required and the distance to the screening from the lot line is only 22 ft.

Applicant Joel Smeenge agreed to relocate the dumpsters in compliance with the side yard requirements and submit a revised Site Plan.

The Planning Commission next reviewed the Site Plan relative to the Standards for Site Plan Review in Section 31.8 of the Zoning Ordinance and found below. The Zoning Administrator findings are in “*Italics*”. Additional comments by the Planning Commission are found in “**Bold**” text.

- (A) Master Plan and M-231 Sub-Area Plan. Proposed uses and development activity shall be substantially consistent with the Robinson Township Master Plan, as supplemented by the M-231 Sub-Area Plan.

The property in question is not located within the Lincoln Street or Lake Michigan Drive Commercial Overlay Districts. One of the Fundamental Planning Goals of the 2008 Master Plan Chapter 4.A.2 is:

“To work towards the ideal community using the most economical means, yet not depriving the residents of those services, facilities, and values necessary to maintain desirable living conditions; not depriving a reasonable freedom of choice to private interests.”

Further, Commercial Development Objectives Chapter 4.C.2.c states:

“Business and commercial areas should be compact, grouped and consolidated into functional units providing sufficient off street parking and loading facilities, pedestrian and vehicle safety, a minimum of traffic congestion, and direct access from residential areas.”

Staff finds the proposed development meets the Fundamental Planning Goal and Commercial Development Objective listed above. If the PC agrees, this standard may be met.

The Planning Commission accepts the Zoning Administrator findings.

- (B) Connectivity. Pathways for bicycles and pedestrians shall be incorporated throughout the development and along all perimeter streets to ensure connectivity between internal uses and with adjacent properties.

The is a pre-existing sidewalk/bike trail along North Cedar Drive connecting internal uses to adjacent properties. As such, this standard may be met.

The applicant is not permitted to locate a sidewalk in the floodplain to reach the boat docks. The Planning Commission agrees with the Zoning Administrator findings.

- (C) Traffic Circulation. The number, location, size of access and entry points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, and circulation within the site. In reviewing traffic features, the number, spacing, and alignment of existing and proposed access points shall be considered relative to their impact on traffic movement on abutting streets and adjacent properties.

The proposed 24-foot wide drive for two-way traffic appears adequate for internal vehicular circulation. The existing entrance shall be reviewed and approved for a commercial use by the Ottawa County Road Commission. If the PC agrees, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings.

- (D) Interior Street Connectivity. Streets or private roads may be required to be extended to exterior lot lines in order to allow connection to existing or planned streets on adjacent parcels, to provide for secondary access, to establish continuity of the circulation system, and to reduce traffic and impact to the transportation network.

This standard does not apply.

The Planning Commission agrees with the Zoning Administrator findings.

- (E) Natural Resource Preservation. Site design shall prioritize the preservation of natural features, such as steeper slopes, wetlands, significant hardwood tree stands, streams, and other significant site characteristics. Applicants must demonstrate how alternatives were considered during the planning process and shall provide justification for the selected development alternative.

No natural features will be impacted by the proposed construction. An EGLE permit will be required for construction of the marina. If the PC agrees, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings after replacing the word “No” with the word “Minimal” at the beginning of the Findings statement.

- (F) Stormwater. Stormwater detention and drainage systems shall be designed so the removal of surface waters will not adversely affect neighboring properties or public stormwater drainage systems and shall maintain or improve predevelopment conditions.

Stormwater follows topography to be directed to an existing low area near the south end of the parcel. Site plan approval shall be conditioned upon stormwater approval from the Ottawa County Water Resources Commissioner (OCWRC). Pending this, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings.

- (G) Landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing unnecessary tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provision or preservation of landscaping may be required to ensure that the proposed uses will be adequately buffered from one another internally and from surrounding property.

No significant landscaping exists on the parcel currently. There appears to be some exiting trees within the 25-foot setback along the west side of the parcel, which abuts a residential use. These trees should be retained to every extent possible. Pending PC review, and public comment, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings. The trees along the West property line are to remain.

- (H) Screening. Where commercial uses abut residential uses, appropriate screening consisting of attractively designed, opaque fencing or equivalent landscaping shall be provided to shield residential properties from noise, headlights, and glare.

While the property to the west is zoned B-2, the use is residential. Every effort should be made to retain existing trees within the 25-foot setback on the west. The PC should discuss whether a fence or additional landscaping may be required. Pending discussion, and public comment, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings and adds that there is an existing chain link fence along the West property line. The applicant states he will not remove the trees along the West property line. The Planning Commission finds that no additional fencing or landscaping is required.

- (I) On-site Treatment. Outside of utility service areas or prior to sanitary sewer availability, land use intensity shall be scaled appropriately based on the capability of on-site systems to adequately accommodate usage. On-site treatment systems shall be designed to protect groundwater and surface water quality to the maximum extent possible.

An Ottawa County Health Department (OCHD) permit shall be required as a condition of approval. As such, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings.

- (J) Utility Service. All utility service shall be underground, unless deemed impractical by the Township, on the basis of the size of the development, the cost of placing utility service underground, the character of the area, and such other factors as are deemed important by the Township.

Utility services are shown together underground. As such, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings.

- (K) Exterior Uses. Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, utility buildings and structures, and similar accessory areas shall be located to have a minimum negative effect on adjacent properties, and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.

The proposed waste dumpster location is screened. Dumpster screening with metal sizing on steel tube is proposed. AC units are proposed on the west side of northwesternmost building. The PC should discuss whether fencing is needed for screening in this area.

The Planning Commission agrees with the Zoning Administrator findings. Additionally, the air conditioning units are to be relocated out of the required side yard. The dumpster is screened and also needs to be relocated outside of the required side yard. Additional fencing not required.

- (L) Emergency Access. All buildings and structures shall be readily accessible to emergency vehicles. Prior to approval or as a condition of approval, building layouts, internal circulation, and other site characteristics that affect life safety shall be reviewed and approved by the appropriate public safety official or fire marshal.

As stated above, the Fire Chief is satisfied with the Plan. As such, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings.

- (M) Water and Sanitary Sewer. Water and sanitary sewer installations shall comply with all Township, County and State specifications and requirements, and the utility service area policies outlined in the M-231 Sub-Area Plan, as applicable.

As stated above in subsection (I), an Ottawa County Health Department (OCHD) permit shall be required as a condition of approval. As such, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings.

- (N) Signs. Signs shall be located to avoid the creation of distraction and visual clutter. They shall be designed to be visually compatible with the architecture of the principal structure. Sites with multiple signs should incorporate common design theme.

No signage is proposed at this time. The Applicant is aware that any signage shall require Planner review and approval. As such, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings.

- (O) Building Design. To the maximum extent reasonable, new or substantially remodeled buildings shall be reasonably compatible in appearance with, or shall enhance, the established general character of other buildings in the immediate vicinity or development.

The existing building façade is proposed to match the new building elevations. As such, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings.

- (P) Civic Space. At least one (1) civic space shall be provided per development, including but not limited to small parks, playgrounds, fountains and sitting areas, or other similar elements. The developer shall provide civic space that is designed and sized commensurate with the scale of the proposed development, intended user, level of public access, occupant load, and type of lot

The Applicant proposes adding a park bench along the existing sidewalk. As this will be the only portion of the property available to non-owners, and if the PC approves, this standard may be met.

The Planning Commission agrees with the Zoning Administrator findings.

The Planning Commission finds the Site Plan Review Criteria met as noted above.

The Planning Commission next reviewed the application against the Zoning Ordinance, Section 32.5 General Standards for Considering Special Uses. Planning Commission responses are in “**Bold**”.

Section 32.5 GENERAL STANDARDS FOR CONSIDERING SPECIAL USES.

Except as they reasonably do not apply, the following standards shall be used by the Township Board when considering applications for a special use permit.

(A) The size, character and nature of any buildings or structures to be erected, constructed or located upon the lot shall not create serious social, economic or visual conflicts with adjacent land uses or the immediate neighborhood.

Standard is met.

(B) The proposed use of land, buildings or structures shall not create substantial adverse or hazardous environmental conditions for adjacent property owners or the surrounding neighborhood. For the purposes of special use review only, "environmental conditions" shall include, but not be limited to the following general categories.

(1) Dispersion of light, heat or other forms of radiant energy.

Standard is met.

(2) Soil, air, and water quality and movement.

Standard is met.

(3) Noise, both volume and pitch.

Standard is met.

(4) Abundance and type of wildlife and vegetation.

Standard is met.

(C) The concentration of population or land use resulting from a special use shall not be so substantially greater than the population or use density prevailing in the surrounding area so as to increase the likelihood of further requests for other land use changes which, if granted, would not conform to the land use types, patterns or density proposed for the surrounding area by the Township Master Land Use Plan.

Standard is met.

(D) Vehicular and pedestrian traffic circulation shall be designed to minimize conflicts on public streets and upon the property involved and to provide safe and convenient parking in relation to streets, pedestrian walkways and adjoining properties or parking areas. Parking and loading space shall be provided according to the needs of the particular use.

Standard is met.

(E) Safe and adequate water supply and sewage disposal facilities shall be provided as required by County and State regulations and shall be designed for compatibility with existing systems and future development.

Standard is met with required permits.

(F) The period of day and times of the year during which a special use activity commences or continues should be reasonably related to both the use and the neighborhood or area in which it is proposed.

Standard is met.

(G) The proposed use shall not create excessive additional demand, at public cost, for public facilities and services.

Standard is met.

(H) The proposed use shall meet all additional standards or conditions of eligibility which are specified elsewhere in this Ordinance.

The standard is met.

(I) The proposed use shall be consistent with the intent and purpose of the Zoning District in which it is proposed to be located, with the overall intent and purpose of this Ordinance, and with other applicable ordinances and statutes.

Standard is met.

(J) The proposed use shall comply with any standards specified in the Chapters of this Ordinance corresponding to the Zoning District wherein the special use is proposed.

Standard is met.

(K) The proposed use shall comply with any standards specified in Chapter 3, Definitions, and Chapter 4, General Provisions.

Standard is met.

(L) The proposed use shall comply with the requirements, terms and conditions of the Robinson Township Earth Change Ordinance, as amended, as if the Earth Change Ordinance applied to special uses.

Not applicable.

The Planning Commission finds the Special Use Standards met.

Next the Planning Commission reviewed and prepared a list of conditions to be applicable to the Smeenge Special Use and Site Plan application recommendation. The Planning Commission accepts the list prepared by the Zoning Administrator and found in her memorandum dated

February 27, 2024 with the exception of a requirement for additional landscaping and adds the following conditions.

Additional Conditions

1. Add Zoning Ordinance compliant lighting to all entrances and walkways.
2. 50% minimum of each unit must be storage full height.
3. Move the pumphouse out of the required side yard and show the location on a revised plan.
4. Move the dumpster and screening out of the required side yard setback and show the location on revised plans.
5. The air conditioning units are to be moved out of the required side yard setbacks and shown on revised plans.
6. The Master Deed and By-Laws are to be reviewed and approved by the Township Attorney before a building permit will be issued.
7. The residential spaces of the units are only for owner occupancy.
8. Any and all Federal, State, County, and Township approvals are required.
9. The Requirements section of Sheet C-2 needs to be correctly updated for building sizes and number.

A motion was made by Michelle Gillespie and seconded by Shawn Martinie to recommend to the Township Board approval of the Special Use Application and Site Plan from Joel Smeenge (documents per list below as amended per Planning Commission minutes). Approval is based upon meeting the requirements of Sections 31.8 and 32.5 of the Zoning Ordinance as noted in the Zoning Administrator memorandum dated 2/27/24 as revised by the Planning Commission on 3/14/24 and as noted in the above minutes. Recommended approval is based on the following conditions:

1. OCRC review and approval of the existing drive upgrade
2. OCWRC review and approval of the proposed stormwater detention shall be required
3. Ottawa County Health Department approval of well and septic
4. The existing trees along the west side of the parcel near the existing residential use shall be retained within the 25-foot setback
5. There shall be no more than 18 sleeping rooms total among all three buildings
6. Condominium Master Deed and By-Laws to be reviewed and approved by the Township Attorney
7. Patios at grade only are approved for the existing barn building
8. Lighting fixtures must be directed downward and full cutoff
9. Add Zoning Ordinance compliant lighting to all entrances and walkways.
10. 50% minimum of each storage unit must be storage full height.
11. Move the pumphouse out of the required side yard and show location on a revised plan.
12. Move the dumpster and screening out of the required side yard setback and show location on revised plans.
13. The air conditioning units are to be moved out of the required side yard setbacks and shown on revised plans.
14. The Master Deed and By-Laws are to be reviewed and approved by the Township Attorney before a building permit will be issued.

15. The residential spaces of the units are only for owner occupancy.
16. Any and all Federal, State, County, and Township approvals are required.
17. The Requirements section of Sheet C-2 needs to be correctly updated for building sizes and number.

Recommended approval is based on the following documents:

- Revised application and proof of ownership dated 2/14/2024
- A1 Main Floor & Refl Clg Plans “B”, DLB Architects, revised 2/13/2024
- A2 Upper Floor & Refl Clg Plans “B”, DLB Architects, revised 2/13/2024
- A3 Exterior Elevations, DLB Architects, revised 2/13/2024
- AC unit locations, DLB Architects, submitted 2/19/2024
- C1 Site Layout Plan, DLB Architects, revised 2/13/2024
- C2 Site Plan, DLB Architects, revised 2/13/2024
- C3 Grading SESC Plan, DLB Architects, revised 2/13/2024
- C4 Add 1 Entry Detail, DLB Architects, 11/30/2023
- E2 Site Lighting Plan, DLB Architects, 2/1/2024
- S1 Add #1 Survey/Demo Plan, DLB Architects, 11/30/2023
- T1 Title Sheet, DLB Architects, revised 1/31/2024
- Response to Planner comments, DLB Architects, 2/13/2024

A roll call vote was taken.

Travis Vugteveen – Yes

Shawn Martinie – Yes

Bill Maschewske – Yes

Lydia Brown – Yes

Michelle Gillespie – Yes

Phil Crum – Yes

The motion carried unanimously with one member absent.

Pay Bills

A motion was made by Travis Vugteveen and seconded by Lydia Brown to pay salaries for the March 14, 2024 Planning Commission meeting (6 members present, 1 member absent).

Adjournment

A motion was made by Travis Vugteveen and seconded by Shawn Martinie to adjourn the Planning Commission meeting at 9:58 PM.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission

Attachments:

- Memorandum dated February 27, 2024 regarding Smeenge Special Use and Site Plan from Zoning Administrator Lovelace.
- Attendance Sheet for March 14, 2024 Planning Commission meeting.