

**Minutes of the regular meeting of the Georgetown Township Planning Commission, held Wednesday, July 5, 2023.**

Meeting called to order by Chairman Samy at 7:00 p.m.

Present: Tom Healy, Josiah Samy, Kelly Kuiper, Jessica Ulberg, Geoff Brown

Absent: Gary Veldink, Jeannine Bolhouse

Also present: Kevin Austin, Zoning Administrator (ZA)

**#230705-01 – Planning Commission Agenda for July 5, 2023**

Moved by Kelly Kuiper, seconded by Jessica Ulberg, to approve the agenda as submitted.

MOTION CARRIED UNANIMOUSLY.

**#230705-02 – Minutes of the [April 19, 2023](#) Planning Commission Meeting**

Moved by Kelly Kuiper, seconded by Jessica Ulberg, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

**#230705-03** – (SUP2302) 814 Services, 1695 Twelve Mile Road, Suite 100, Berkley MI, 48072, is requesting to construct and operate a Day Care Center, under Sec 8.3(N), on a parcel of land described as P.P. #70- 14-15-279-046, located at 1675 Baldwin St., in a Low Density Residential (LDR) district, Georgetown Township, Ottawa County, MI.

Dan Harris from 814 services presented their request and detailed the information they provided in their narrative and construction plans.

The Zoning Administrator presented the [Staff Report](#).

Josiah Samy opened discussion about the Staff Report.

Tom Healy asked the ZA why in this circumstance Hollyhock was being considered the front lot line instead of the Baldwin Frontage.

The ZA stated that in the case of corner lots, the ordinance allows the ZA to determine which of the frontages will be considered the front to help determine setbacks and required yards. The ZA stated that utilizing Hollyhock as the front allowed setbacks for the development that were both compliant with the township ordinance and feasible for the development to meet without variances.

Tom Healy asked why the determination to allow regular parking spaces as queuing spaces was not brought to the ZBA and is instead considered a PC determination for Special Land Use Requirements.

The ZA stated that past precedent for Day Care Center approvals demonstrated that pick-up/drop-off practices have changed to not allow the queuing and loading/unloading areas anymore. Other Day Care Center approvals had been permitted to consider regular parking as the queuing and drop-off locations due to standard practice in the industry changing due to safety concerns. For

this reason the ZA asked if the PC would make a similar determination for the plan for Primrose due to their advertised policy of adult check-ins and pick-ups.

Kelly Kuiper stated that due to contemporary safety concerns in schools and early learning centers, the standard practice for drop-off/pick-up and registration has changed across the industry. Almost all early learning centers do not allow the old process of allowing a child to enter unaccompanied after exiting a vehicle by the curb.

Jessica Ulberg stated that the day care that her children attend requires the same type of process for drop-off and registration.

Steve Witte, Nederveld Engineering, stated that he developed the site plan for both Milestones Early Learning and Appletree in the township, as well as Big Steps, in neighboring municipalities. None of them allow the quick drop-off and queuing that was typical in past years due to the increased safety concerns and improved administrative practice.

Tom questioned the planning commission whether or not we should then remove the queuing space and drop-off requirements articulated within Chapter 26 and Sec 20.4 of the ordinance for Day Care Centers, given the shift in practice.

Tom Healy mentioned that he believes a circular traffic flow utilizing the existing eastern drive, which is planned to not be used, is a safer traffic circulation for the site given its unique shape and location. He asked what setbacks impact the use of the eastern drive.

The ZA stated that due to the drive aisle being abutted by residential parcels, a 25' setback that includes a greenbelt would be required along the drive. This setback impacted the dimensions of the drive and necessitated a variance for the developers intended plan.

Steve Witte noted that a one-way drive aisle for the eastern drive could meet the ordinance with required dimensions.

Tom Healy stated that the health safety and welfare consideration that the commission is charged with, influences him towards allowing the eastern drive to be used as additional access for the site. He also asked Dan Harris how often the school will hold events that draw all family members.

Dan Harris stated that Primrose mainly intends to operate within normal business hours and is unaware of any frequent events that attract the whole family.

Tom Healy asked what the planned building height is.

Steve Witte stated that current plans show the cupola at roughly 35.5' above the ground.

Kelly Kuiper stated that Max Building Height in the LDR is 35 feet, however, that is not measured to the top of the cupola but is measured using mean height.

Josiah Samy stated that the circulation in the parking lot is of concern to him for similar reasons that Tom Healy brought up however he is not so sure that allowing the eastern drive access to the site is a large improvement. He asked if the last space depicted on the plan is to be used for turning around.

Steve Witte stated he is correct, that due to the drive aisle and parking, they will restrict parking in the last space to allow for cars to turn around in case there are no available parking spaces. He mentioned that the applicant usually expects roughly 50 families at the peak drop off times.

Josiah stated that he is concerned about the left turn out of the site and that it should be very clear that parking is not allowed on Hollyhock Ave. He asked if there are plans to replace existing fencing at all.

Dan Harris stated that the current fencing depicted off of the property is the neighbors fencing. He describes the different type of fencing that will be installed and the locations of it.

Josiah Samy stated that along with the required hedging near the playground, he would want to require additional hedges along the walkway to the playground to ensure that adjacent residences are shielded from the headlights of patrons.

Kelly Kuiper agreed that there appears to be a gap in the hedging and would like to see that provided to ensure screening. She stated that this entrance to the site could benefit greatly from a deceleration lane.

Steve Witte mentioned that the possibility of a deceleration lane was investigated, however, its impact on stacking space, adjacent residences, and required sidewalk locations caused them to pursue a design without it.

Kelly Kuiper stated that she believes that there should either be a change to incorporate the east drive or that the current drive access should be optimized for the traffic it will receive. The Ottawa County Road Commission should be consulted to make the current Baldwin entrance as safe as possible for traffic on to and off of Baldwin.

Dan Harris stated that the utility easement for the gas pipeline maintained by TC energy was impacting the location of the drive as well. He drew attention to the 2 large vents to the west of the drive which project from the ground as yellow poles, and restrict the drive from moving farther west along Baldwin which impact possible deceleration lanes.

Steve Witte stated that they can consult the Ottawa County Road Commission for all improvements and modifications that can be made to the entrance as well as optimization for access to the proposed site.

Kelly Kuiper stated that if the Primrose has intent to offer some after-school programming in the future, then a safe bus stop should be considered for the site plan and provided on the site plan for future use. The Special Land Use for a Day Care Center will stay with the property so a bus stop should be planned for at the beginning given that future occupants may have different services.

Dan Harris stated that Hollyhock Ave could provide a safe and efficient bus stop for the location.

Jessica Ulberg stated that the current design utilizing one access may be preferable to two accesses given peoples common confusion for site access, especially given that the parcel frontage is separated by residential parcels. The queuing requirement likely should be removed from the parking requirements for Day Care Centers given the change in procedure for these type of institutions. If a deceleration lane was possible she believes it would be very beneficial for this access. She would like to see hedging installed in the location that Josiah Samy detailed.

Geoff Brown stated that he utilizes Hollyhock Ave often and experiences difficult traffic issues around that intersection already. He would like to see the eastern entrance utilized to improve traffic circulation on the site.

Josiah Samy brought attention to the legal impact of the resident's access on to the eastern drive. He stated that the resident's legal access easement to that east drive would have to be considered if the drive was going to be considered for one-way flow or other options.

Kelly Kuiper mentioned that the planning commission should remain wary of claiming knowledge over traffic engineering when it is not their expertise and that the agencies with specific knowledge should still be relied on for final plans. She stated that tonight the commission could approve the Special Land Use and then make a condition for a revised Site Plan to gain Site Plan Approval through administrative approval by the Zoning Administrator.

Josiah Samy stated that he believes the most compliant, safe, and feasible entrance that the Road Commission would approve should be utilized for this site. He asked what the best design for one-way traffic entrance and exit would be.

Kelly Kuiper stated that the Road Commission will give guidance on a current developed plan but likely will not assess a site and create the best access plan for it. She stated that the best course of action may be to keep the access as planned with the one entrance but attempt to improve it as much as possible.

Chairman Samy opened Public Comment

No one from the public was present to make comments.

Chairman Samy closed Public Comment

**Moved by Kelly Kuiper, seconded by Josiah Samy, to adopt the staff report as finding of fact and to approve Special Use Permit (SUP2302) 814 Services, 1695 Twelve Mile Road, Suite 100, Berkley MI, 48072, to construct and operate a Day Care Center, under Sec 8.3(N), on a parcel of land described as P.P. #70-14-15-279-046, located at 1675 Baldwin St., in a Low Density Residential (LDR) district, Georgetown Township, Ottawa County, MI, based on the findings all applicable standards of the ordinance have been met (with the conditions as noted) including the general special use standards in Sec. 20.3 and the specific special use standards in Sec. 20.4(K), with the following conditions:**

- 1) A Demolition Permit Application and Fee must be received by the township prior to any demolition work being conducted on the site as per Sec. 3.13 of the Zoning Ordinance.**
- 2) A Storm Water Drain Permit (written permission from the Drain Commissioner's office) shall be submitted to the Township prior to the submission of a building permit application.**
- 3) All utilities shall be coordinated with the Georgetown Township DPW.**

Yeas: Josiah Samy, Geoff Brown, Kelly Kuiper, Tom Healy, Jessica Ulberg

Nays: None

**MOTION CARRIED UNANIMOUSLY**

**Moved by Kelly Kuiper, seconded by Jessica Ulberg, to adopt the staff report as finding of fact and to approve the site plan named Primrose-Georgetown Site Plan, Proj No: 23200118, dated 6/26/23, as presented based on the findings that the applicable standards of the ordinance have been met, and with the following conditions:**

- 1) All signs require permits and shall meet ordinance standards.**
- 2) Sidewalks shall be provided pursuant to the approved site plan.**
- 3) All Landscaping shall comply with ordinance requirements as per Sec 3.11 including a 4 foot tall evergreen hedge for screening along the Northside of the walkway leading to the playground and along the northwest fencing for the Toddler and Up playground.**
- 4) A Demolition Permit Application and Fee must be received by the township prior to any demolition work being conducted on the site as per Sec. 3.13 of the Zoning Ordinance.**
- 5) A Storm Water Drain Permit (written permission from the Drain Commissioner’s office) shall be submitted to the Township prior to the submission of a building permit application.**
- 6) A safe and appropriate bus stop is developed in cooperation with local school transportation departments and annotated on the site plan.**
- 7) The proposed site access drive be reviewed by Ottawa County Road Commission for recommendations for optimal safety and traffic flow. Ottawa County Road Commission must approve the access plan and the applicant must provide that approval to the township prior to building permits being issued.**
- 8) Receive administrative Site Plan Approval from the Zoning Administrator on a revised site plan that meets all of the above mentioned conditions.**

Tom Healy asked the ZA what the passing vote must be.

The ZA stated that a majority of the Planning Commission must vote in favor of an item to approve it, which is 4 out of the 7 total commissioners.

The Chairmen called for a vote.

Yeas: Josiah Samy, Kelly Kuiper, Jessica Ulberg, Geoff Brown

Nays: Tom Healy

MOTION CARRIED

#### **#230705-04 – Communications, Letters and Reports**

The ZA provided a notice from Blendon Township that they had approved a draft of their amended Master Plan and could distribute to neighboring communities.

Josiah Samy stated that he was unable to locate their Master Plan in the location stated on the notice.

The ZA concurred that he also was not able to locate the amended copy of the Master Plan and that he would follow up with administrators from the township to locate an accessible copy of the plan so that the commission may view it.

#### **#230705-05 – Public Comments**

No members of the public were present to make public comment.

## #230705-06 – Other Business – Initiate Zoning Ordinance Amendments

The ZA presented potential ordinance amendments for discussion and initiation to be published for a public hearing with another agenda item.

Josiah Samy stated that the correction for the Temporary Use annotated in the provided materials should be made, however, he is not interested in enacting a change to Mobile Food Vending that could consequently require permits for Food Trucks on Private residential property.

**Moved by Josiah Samy, seconded by Tom Healy, to initiate the Zoning Ordinance Amendments provided as follows:**

### 1. Sec 20.4 SITE DESIGN STANDARDS

Those uses specified in Section 20.1 as permitted by "right" or as special land uses shall be subject to the requirements of the District in which the use is located in addition to all applicable conditions, standards and regulations regarding site design and development and other standards and conditions as are cited in the following:

- z. Open air businesses.** The use of an open air business is expressly prohibited in all zoning districts except (CS) Community Service Commercial district and (HS) Highway Service Commercial district. In the CS and HS districts, the use is allowed with special land use approval with is contingent upon compliance with the following standards (revised 03-26-07):
  - 1. Minimum lot area shall be one (1) acre.
  - 2. Minimum lot width shall be two hundred (200) feet.
  - 3. **Except in the Agricultural Districts,** the Planning Commission may require a six (6) foot fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises.
  - 4. All open air businesses shall comply with all applicable Health Department regulations regarding sanitation and general health conditions.

### 2. Sec. 3.4 ACCESSORY BUILDING AND USES.

Accessory buildings and uses shall be subject to the following regulations:

- (A) Accessory buildings and uses shall not be erected in any front or required side yard, unless otherwise provided for in this ordinance.
- (B) Where the accessory building is attached to a main building, it shall be subject to and must conform to, all regulations of this Ordinance applicable to such main buildings.
- (C) No detached accessory building or use shall be located closer than ten (10) feet to any main building (except an accessory use-not accessory building- that is portable and less than 100 square feet in area such as a portable hot tub may be located closer than ten (10) feet to any main building) (revised 6/9/08), nor shall **the use or** the eave line (which could be a maximum of three (3) feet) of such building be located closer than five (5) feet to any side or rear lot line. All accessory buildings shall meet the same setback requirements from a street right-of-way line as required for the main building, provided that on a double frontage lot, an accessory building may be located within the required rear yard no closer than twenty (20) feet to the road right-of-way line.

**3. Sec. 2.80 PORCH, ENCLOSED.**

A covered entrance to a building or structure which is **totally in any way partially or totally enclosed by any means with any materials (except where attached to the building and except for a railing)**, and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

**Sec. 2.81a PORCH, OPEN.**

A covered entrance to a building or structure which is **totally** unenclosed except for columns supporting the porch roof, **except for a railing and except where attached to the building**, and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

**4. Sec. 3.25 TEMPORARY USES OR STRUCTURES REQUIRING ZONING ADMINISTRATOR AUTHORIZATION.**

(C) Mobile Food Vending. (revised 9/9/2019)

- (1) The Zoning Administrator, upon receiving an application, may issue a permit for the temporary use of mobile food vending in the OS, NS, CS, **HS** and I districts, including PUDs with non-residential components, with written permission of the property owner, unless on public property with approval by the Township Superintendent.
- (2) In considering a request for a temporary permit, the Zoning Administrator must determine that the operation of such a use is seasonal in nature and will not be established as a permanent use.
- (3) Each permit shall be valid for a period of not more than seventy-two (72) consecutive hours in a seven (7) day period. A maximum of 26 permits are allowed per property in a calendar year with a maximum of 3 mobile vending units per permit.
- (4) Each mobile food vending unit shall be parked in a paved parking lot, using only spaces that are not required for another use, and shall not be parked in any road right of way. There shall be sufficient paved ingress and egress. The unit shall meet all setback requirements for the principal building/use.
- (5) There shall be no outdoor storage. All rubbish and litter stemming from the mobile food vending operation shall be removed from the property after each day that the mobile food vending unit is in operation.

Yeas: Josiah Samy, Geoff Brown, Kelly Kuiper, Tom Healy, Jessica Ulberg

Nays: None

MOTION CARRIED UNANIMOUSLY

**#230705-07 – Adjournment**

The meeting was adjourned at 9:01 p.m.