

**City of Hudsonville
Planning Commission Minutes**

August 15, 2018

Approved September 19, 2018

**3469 & part of 3467 Kelly Street – DJ’s Pizza Plus Inc. – Site Plan Amendment
3633 Van Buren Street & 5751 36th Avenue – Creekside Companies – Formal Final PUD**

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

Present: Leatherman, Northrup, Schmuker, Waterman, Bendert, DeVree, Staal, Wendt, Strikwerda and Schut

Absent: VanDenBerg and Raterink

PUBLIC COMMENTS (Non agenda items)

1. A motion was made by Northrup, with support by Schmuker, to approve the minutes of the July 18, 2018 Planning Commission meeting.

Yeas 7, Nays 0

NEW BUSINESS

2. **3469 and part of 3467 Kelly Street – DJ’s Pizza Plus Inc. – Site Plan Amendment**

Leatherman opened the public hearing.

Dan Snoeyink owner of DJ’s Pizza Pub reviewed the request to construct a 255 s.f. addition to their 2,956 s.f. restaurant. The addition will improve efficiencies. It is for cooler storage and an expanded bar area.

The staff report was presented.

The following discussion took place:

- It was asked if the property has already been purchased from West Michigan Community Bank. Yes.
- When the addition is complete the façade will match the rest of the building with brick on the side and block on the rear of the building.

- It was asked if there were any issues with people smoking in this area. Dan indicated he put a smoking snuffer out the help keep it clean.
- The applicant reviewed the 2nd addition he would like to do in the future.
- The history of the existing building was reviewed as well.
- DJ's has done a nice job with the outdoor patio, with crowd control and traffic. Job well done and we appreciate what you bring to the community.

Leatherman closed the public hearing.

A motion was made by Northrup, with support by Waterman, to approve the Site Plan Amendment for a 255 s.f. building addition for DJ's Pizza Pub at 3469 & part of 3467 Kelly Street. This approval is based on the finding that all of the site plan review standards from Section 18.04 A of the Hudsonville Downtown Zoning Ordinance are met.

Yeas 7, Nays 0

3. **3633 Van Buren Street and 5751 36th Street – Creekside Companies (City Park Villas) – Formal Final PUD**

Leatherman opened the public hearing.

Doug Butterworth president of Creekside Companies, reviewed the Final PUD plan for 5751 36th Avenue and 3633 Van Buren Street. This is the final step in the approval of this request. It should be noted that the street names have been adjusted. VandeBunte Lane is now an east-west road with VandeBunte Court going south along the back of the 36th Avenue properties. The unit numbers also needed to be changed to meet state requirements for the order of construction since they will start building the units on the north end of the project.

Letter from 5718 Lawndale Avenue – Justin & Melissa DeJong was read.

The staff report was presented.

Dan DeWeerd of 5719 36th Avenue. Throughout this process he has brought several concerns up to Dan, Doug and to the board. He has several concerns that there may be externalities that come upon his family and his property. The first is the safety for their children. Adding the second fence to the back of his property does alleviate a lot of the fear, it's a second barrier and doesn't see anything bad coming from that. He would prefer to keep the boulders on the corner as previously discussed just as a matter of safety.

On the plan there is a snow storage space just to the north of our fence and property line. Due to the nature of snow when it accumulates, it gets heavier. He believes it could cause damage to his fence. He sees it as a liability issue for any snowplow company. He gave a few potential suggestions such as not allowing this area to be a snow storage area or putting in a second fence there.

The third issue was via email between himself and Dan Strikwerda. He is looking for verbal affirmation as well. There was concern when VandeBunte was still 12' from his property line as it curves around our fence it would impact the clear vision area, which would create difficulties for them. Having a fence of similar design when it comes time to replace the fence.

With this current setback it appears that it is not going to be a concern, but he did want to mention it. One question they have is would his yard be considered effectively a triple front-yard facing lot. You have confirmed that because we do not have access to VandeBunte from our property it will not be. It would just be as it is.

With the changes that have been made, we are much more confident in the design that is here. He would still like the snow question to be addressed.

The following discussion took place:

- The company that is removing the snow looks at the project and makes the determination of where they are putting the snow, is that correct? This plan has locations designated for snow. The area Mr. DeWeerd is talking about has a 20' landscape buffer between the road and his property. There seems to be ample room for snow. If any damage is caused that would need to be handled between the contractor and the property owner or association.
- For reference, city streets which typically have 12' lanes will store snow within the curb lawn, which is a smaller area. So as stated, 20' is more than normal for snow storage based on the city's experience.

Ana DeWeerd of 5719 36th Avenue. Asked if it would be possible to add a fence along the north side of her property to buffer between her fence and the road.

- Do you want the fence to be the full length of your lot? Yes, the whole length of VandeBunte Lane.
- If that was added would you still want boulders? Yes, but if she had to pick between the two, probably the boulders. A fence can't really stop a car but boulders will. She is still concerned with the snow. Are you looking more for screening rather than protection? Yes, but she would prefer to have both screening and protection.

Strikwerda indicated that this part of the road now meets the requirements, which is part of the reason it was adjusted. The applicant did add a few trees in there for aesthetics, the trees match what is going in along VandeBunte Ct. The boulders will be a discussion item, Doug would like to see those out. They were more important before when the stub road was directed at the corner. In some ways if this was his first iteration of the plan, they may not have been seen as a need. The chances of a car sliding through there at such a low rate of speed are quite minimal.

- It was asked why Doug wanted the boulders removed. He indicated that he had them in there and the DeWeerd's wanted him to run the fence to the corner and said the boulders were no longer needed. So he had it redrawn with the fence to the corner, and they called him back and said they wanted the boulders back in. He pulled the fence back and added the boulders back in. But the fence down the north side, he would rather not do that because you will have a fence on fence situation that will be visible from 36th Avenue. They already have a 6' stockade fence around their back yard. He doesn't feel that the boulders are doing the job they were originally intended to do, because the road originally came into the corner of their property, and could see the concern and agreed with it. But with the way the road got redesigned and shifted over 20' the boulders are not a necessity, if it makes them feel more comfortable he will put them in.

- It was asked if he felt that the boulders would create other hazards such as plowing, lawn maintenance. They are more of a maintenance issue than anything, with trying to mow around them and keep them looking good.
- It was stated there isn't a need to have the fence go along the north side of the DeWeerd property. What does the board feel? Seeing that the 20' setback is being met, it would be hard to justify having the fence. It would look like a prison if you added another fence in there.
- The boulders are fine.
- The board agrees with what is currently on the plan so nothing needs to be changed in the motion.
- The tree counts were reviewed and clarified.
- The arborvitaes at the end of each dead-ends were reviewed and discussed. They grow 1' to 3' per year and get about 30' tall, so it will be a significant barrier and they are recommended for screening on property lines. One concern with the letter that was received would be that the headlights would go past the row of arborvitaes and hit the back of their house. If it's possible to extend the line of arborvitaes by adding more to the south to catch the headlights as they are turning into their driveway. It was suggested to have a site call be made by Dan and Doug.
- It was asked what was going to happen to all of the concrete from the property. It will be pulverized, removed and used for the road bed.
- How will the covenants be enforced in the future? The association will remain in place.

Leatherman closed the public hearing.

A motion was made by Waterman, with support by Northrup, to approve the following conclusions of the proposed Final PUD from Creekside Companies for 3633 Van Buren Street and 5751 36th Avenue in accordance with Section 11-11 E. of the Hudsonville Zoning Ordinance, including the deviations and safeguards as listed.

Statement of Conclusions

The plan meets the regulations as set forth with the proposed deviations:

Deviations

	<i>Required</i>	<i>Proposed</i>
<i>1. Private road from adjacent property</i>	20'	12'
<i>2. Front yard building setback</i>	35'	25' (20' - Unit 18)
<i>3. Side yard building setback</i>	20'	11'
<i>4. Rear yard building setback</i>	80'	52'
<i>5. Cul-de-sac radius</i>	40'	30'

The safeguards, features, and/or planning mechanisms to achieve the intended regulation objective for each deviation are as follows:

1. The private road is 12' from the property line behind the 36th Avenue homes. Shifting this portion of the road farther from the property line would cause other spacing issues along the west property line. The entry portion of the road is now compliant, being 20' from the property line. The road radius comes slightly closer to the lot line. A 6' stockade fence along the rear lot line along with a row of trees along the entire street are proposed as a buffer that will improve traffic/pedestrian safety. If a public street were constructed in this location the roadway would be about 17' from the lot line and a driveway only needs to be 1' from a property line, neither of which would require any buffering.

2. The front yard building setback minimum requirement is 35' along Van Buren Street, 36th Avenue and Hillcrest Road. The adjacent house on Hillcrest Road is about 26' from the right-of-way and the homes along 36th Avenue range from as low as 21' with the closest homes to this development being about 28', so this is a consistent setback on these streets. The existing homes along Van Buren Street on this block match the required setback although the homes on the block to the east are as close as 20' with none of them being over 30' so it is not out of line with the area. Shifting Unit #24 back 5' is possible if this becomes requested but its current location works better with the existing home to the west and Unit #23 to the east. Internal to the development the corner of Unit #18 will be 20' from the private road, if it has a 3rd stall on the garage. This is seen as a minor encroachment since it would only be a building corner and it is from the cul-de-sac bulb so there is not an impact of concern.

3. & 4. The minimum side yard setback is 10' and rear yard setback is 40' but that assumes individual parcels so the total setback is 20' between homes and 80' behind homes. In this development everyone shares the open space. The interior side yard and rear yard building setbacks vary throughout the development. The safeguard for most of the buildings is that they are angled so the spacing appears much greater. The tight spacing of the units that have 11' side yard do not affect external property owners. The smaller setbacks enable the development to avoid having attached units. It should also be noted that accessory buildings only need to be 8' apart on single family lots (4' from the lot line) and this development will not have individual accessory buildings, reducing that kind of building clutter.

5. The cul-de-sac radius standard is 40', but this radius is 30'. The smaller radius is proposed due to the narrow lot and minimal use on the end of the private road. This is sufficient for most vehicles. One exception is the city's largest fire truck. It will have the ability to get in there quickly but will need to back out using the other private street to turn around or do a multiple point turn. Since there is an opportunity to turn around on site and their use will be so minimal, this is a sufficient option. A larger radius is detrimental to the overall layout with not much benefit to retaining the larger size. To help compensate, the road angle has been adjusted with larger radii being provided for the road leading into the cul-de-sac bulb, creating a larger space along the edges of the cul-de-sac bulb to help with maneuvering.

This plan will provide 24 quality single-family detached residential condominium units on under-utilized and blighted properties that have a difficult shape for residential development. The PUD has allowed for strategic landscaping and public amenities that otherwise would not be required. This plan incorporates the previously approved findings and recommendations, and all of the provisions have been met for the request as set forth by the City Commission for the sale of 5751 36th Avenue, along with the standards of the R-1-B Zone District and PUD regulations, as listed in Section 11-10 B of the City of Hudsonville Zoning Ordinance set forth with the following recommended conditions:

1. Proposed perimeter trees may be relocated on the plan if an existing mature tree is in the way.
2. Adjust the landscaping plans for accuracy.
3. Provide the required utility easements.
4. Additional arborvitae screening will be added at the discretion of the Zoning Administrator at both road dead-ends.
5. In Section 10 of the Master Deed for City Park Villas, change the notice requirements from 30 days to 10 days.

Yeas 7, Nays 0

4. **ADJOURNMENT**

The meeting adjourned at 8:12 p.m.

Respectfully Submitted,

Teri Schut
Planning / Zoning Assistant