



Georgetown Charter Township

1515 Baldwin St., Jenison, MI 49428

Planning Commission Meeting Agenda

August 19, 2020, 7:00 p.m.

1. Call To Order
2. Roll Call
3. Approval Of The Agenda
4. Approval Of The Minutes Of The Previous Meeting
5. Old Business
6. New Business
 - 6.I. Public Hearing - (REZ2004) Ordinance 2020-05 To Change From (CS) Community Service Commercial To (I) Industrial, A Parcel Of Land Described As P.P. # 70-14-13-427-011, Located At 7560 River Ave., Georgetown Township, Ottawa County, Michigan

Documents:

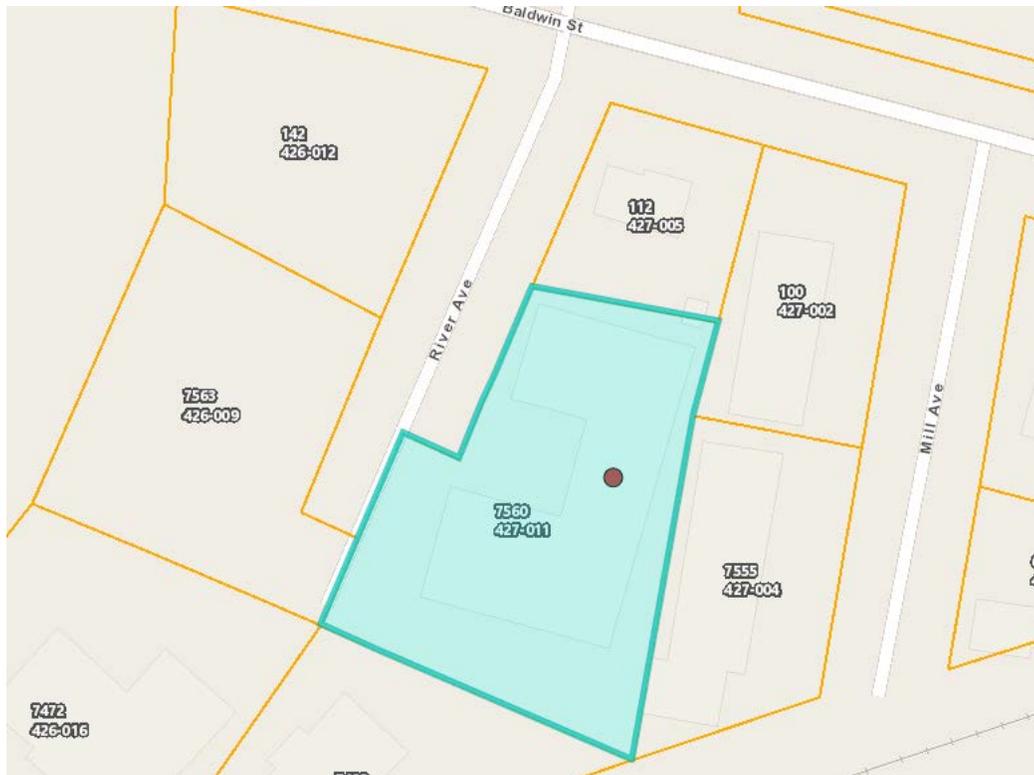
[REZ2004 STAFF REPORT.PDF](#)
[RESOLUTION.PDF](#)
[CAPTAINK9 REZONING SUBMISSION.PDF](#)

7. Communications, Letters And Reports
8. Public Comments
9. Other Business
10. Commissioner/Staff Comments
11. Adjournment

REQUEST

(REZ2004) Ordinance 2020-05 To change from (CS) Community Service Commercial to (I) Industrial a parcel of land described as P.P. # 70-14-13-427-011, located at 7560 River Ave., Georgetown Township, Ottawa County, Michigan.

The applicant is requesting the rezoning of the 0.7234 acre parcel from CS to Industrial because the applicant is seeking to have dog boarding on the site (defined in the Zoning Ordinance as a kennel), in addition to the current use of dog grooming. A kennel is allowed by right under Sec. 17.2(E) in the Industrial district.

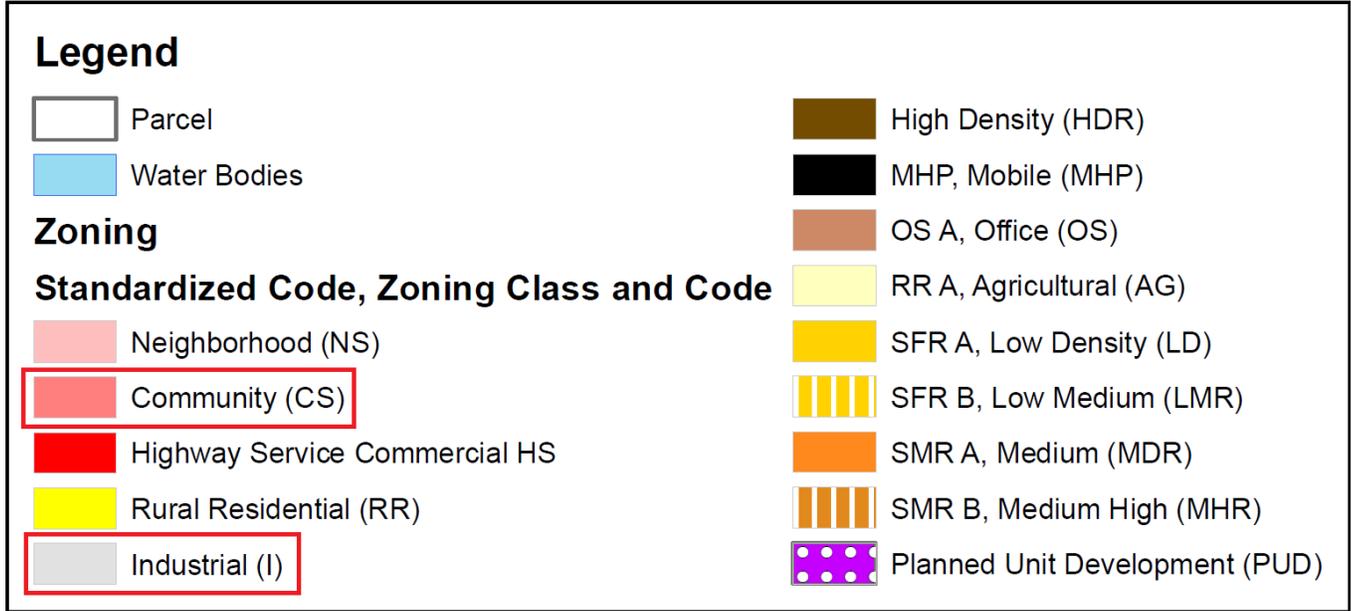
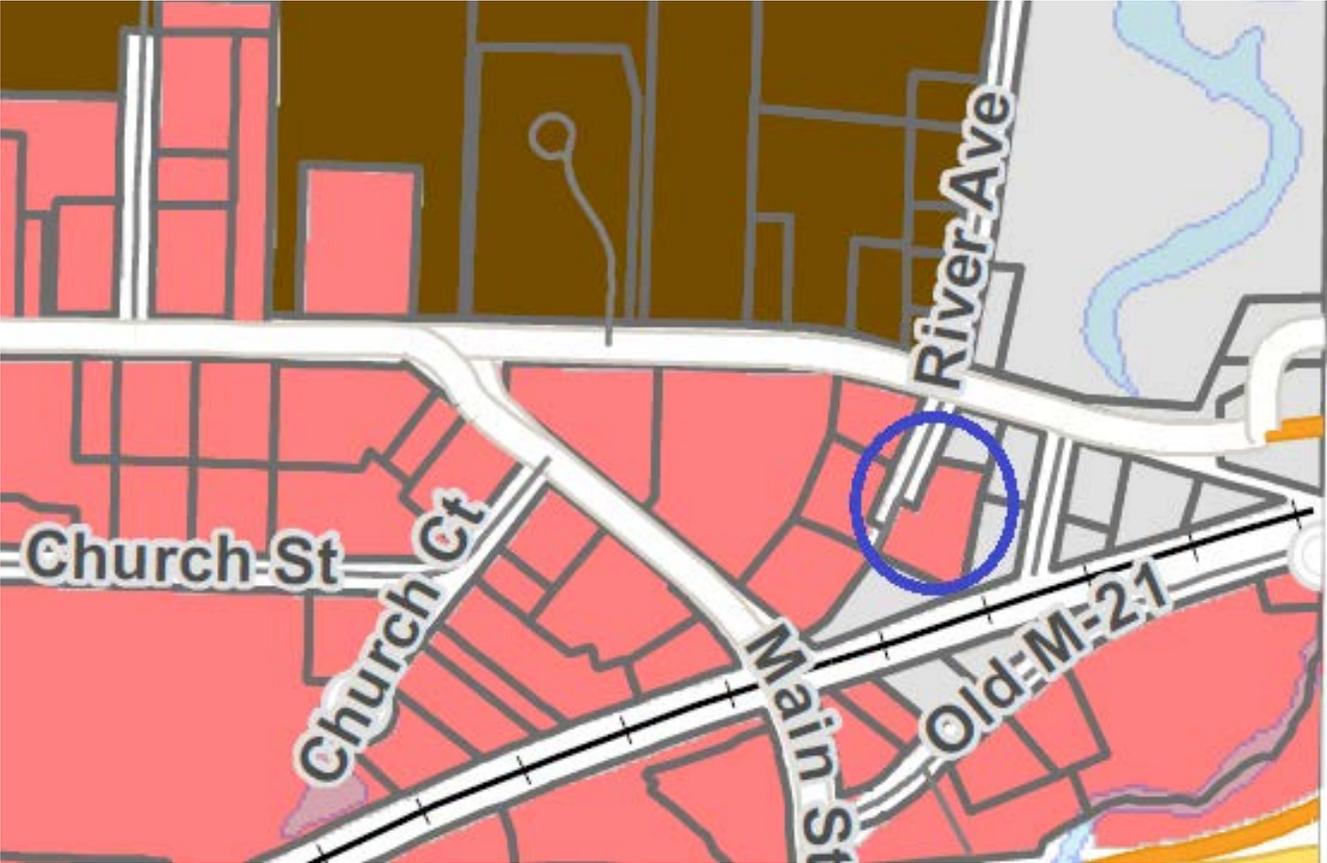


HISTORY

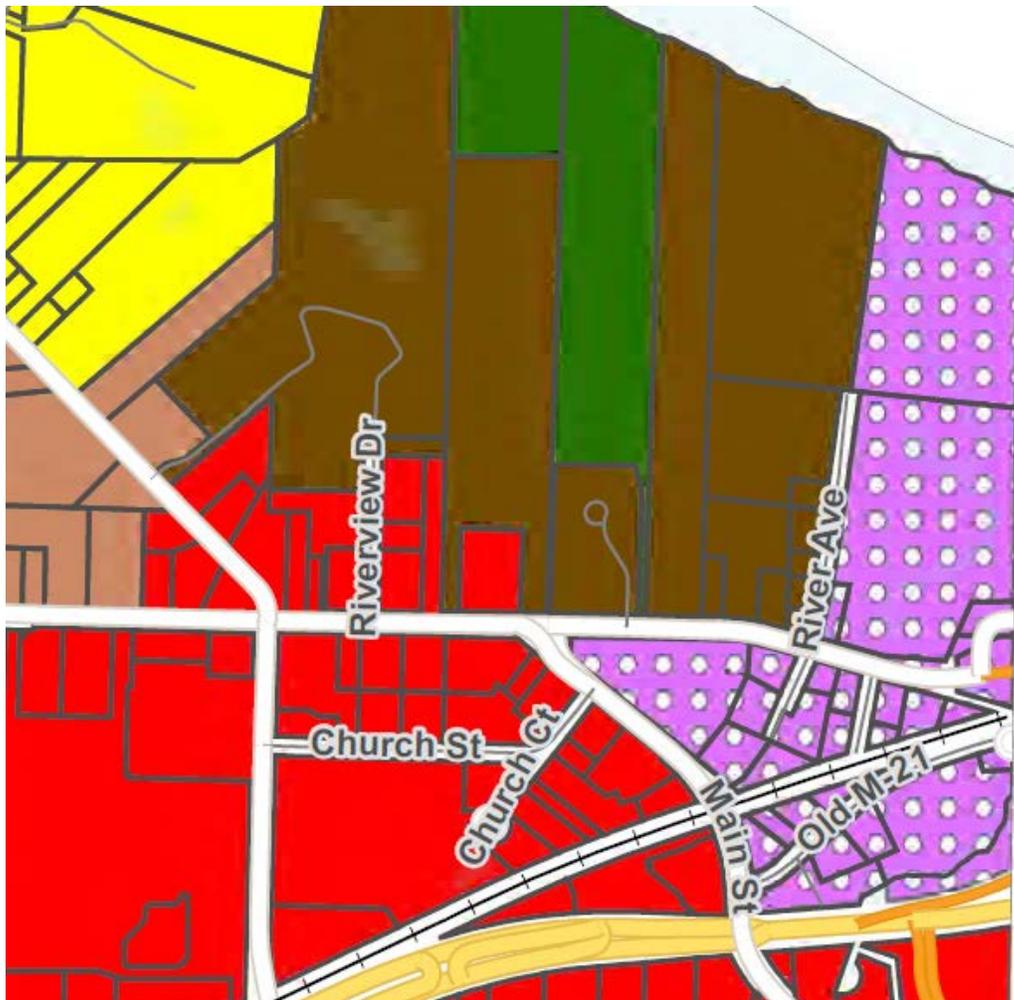
- a. On January 14, 2016, a Use Zoning Compliance application was submitted, and subsequently approved, for the use of dog grooming (under the ordinance section for Personal Service Establishment).
- b. The stipulations of the approval state that **there shall be no overnight boarding of animals, the animals cannot be kept outside and all activities shall be within an enclosed building.** The reason for the stipulations was because the use was ONLY to be for dog grooming and not boarding. These conditions were based on the definition of “kennel,” which is defined in the ordinance as any lot or premises on which four or more animal, four or more months of age or older, are kept temporarily or permanently for the purpose of breeding, boarding or for sale.
- c. The site is nonconforming because the building does not meet setback requirements.



Zoning map and legend. Note that the parcel is surrounded by Industrial zoning to the north, east and south. The property to the west is zoned CS.



Future Land Use Map and legend.



Legend	
	Water Bodies
	Parcel
Future Land Use Code, Land Use Value	
	Ag, Agriculture
	CC, Community Commercial
	HC, Highway Commercial
	HDR, High Density Residential
	I, Industrial
	LDR, Low Density Residential
	MDR, Medium Density Residential
	NC, Neighborhood Commercial
	OS, Office Service
	PSP, Public Semi Public
	PUD Com, PUD Commercial
	PUD Mix, PUD Mix Use
	PUD Res, PUD Residential
	REC, Recrational Open Space

RELEVANT MASTER PLAN LANGUAGE

Page 33 of the Master Plan states:

Industrial Land Use Policies:

The benefits of new industrial development should be weighed against the resulting traffic impacts, land use conflicts and potential noise, odor and other adverse impacts of industrial growth.

New industrial development should be directed to select areas which have good road access and utility services, or are planned to receive them, and where conflicts with other land uses are minimized.

Page 40 of the Master Plan states:

The Future Land Use Map reflects the expected continued development of the Township as a high-quality residential community. In addition, smaller amounts of land are provided for expansion of the Township's commercial and industrial base. Following is a discussion of the Future Land Use Map organized according to several specific geographical sub-areas of the Township which served as the focus for issue identification and policy development by the Planning Commission. **The map shall be used in conjunction with the text of the Land Use Plan since the language is a vital part of the Plan relative to uses that are planned for the future without specific locations known at the time of the adoption of the Plan.**

Jenison Commercial Core

The land adjacent to the Chicago Dr., Baldwin St., and Cottonwood area serves as the commercial service core of the Township. The extension of Cottonwood St. south of Chicago Dr. to Port Sheldon Rd. provides the opportunity for minor expansion of the commercial core and could be developed as a Town Center. Commercial uses should not encroach any further north on Cottonwood or west on Baldwin St.

Land on the east end of Baldwin St. near the access to I-196 including the land to Chicago Dr. could be redeveloped with mostly low intensity commercial use such as Office Service, with limited access, and possibly higher density residential uses. Consideration should be given for the area to be a single development, or as much as possible, with very limited access to the main roads and with most accesses to interior roadways only. Consideration should be given for connection to bike trails or mass transit. However, the Grand River and Rush Creek floodplains, as well as the nearby City of Grandville waste treatment facility may impose limits on the extent of any new development along the east end of Main St. In addition, any development in this area should have special attention paid to aesthetics such as landscaping and identifying signage since this is one of the major gateways to the community.

REVIEW STANDARDS

Rezoning goes with the land, not the property owner or use. Therefore, once a parcel is zoned to a particular classification, the zoning is permanent unless changed by a subsequent rezoning action. Zoning cannot be conditional and a parcel cannot be rezoned for one specific use. Any use permitted within the zoning district is permitted on the property, provided the other applicable regulations of the Zoning Ordinance (lot sizes, setbacks, etc.) are met.

The following standards are used for consideration by the Planning Commission and Township Board in their review of the rezoning request.

1. **Consistency:** Is the proposed zoning and all of its permitted uses consistent with the recommendations of the Township Land Use Plan?

Yes. Although the Future Land Use Map shows the area as PUD due to the initial desire of the Township to see the entire area developed as a PUD when the I-196 expressway entrance was constructed, using the language of the Master Plan a determination can be made that the proposed Industrial zoning is consistent with the Master Plan.

The text of the Master Plan states that the map should be used in conjunction with the language in the Master Plan. It also states “New industrial development should be directed to select areas which have good road access and utility services, or are planned to receive them, and where conflicts with other land uses are minimized.” The determination can be made that this site meets that criteria.

Further, the Master Plan in 2004 references the connection to the I-196 expressway as contemplated for the future and suggests the area should be developed as one development, such as a PUD. The Master Plan in 2010 references the Baldwin St. entrance as constructed and suggests the area should be developed as one development, such as a PUD. This idea of one development was contemplated for the past 16 years and has not come to fruition. Rather new development in this area has occurred on single parcels, including the new signage and landscaped area, the Veteran’s Plaza and the Starbucks building. In 2021 when the Planning Commission reviews the Master Plan, this area should be evaluated for future plans that would be more realistic, taking into account the current new development in the area..

2. **Compatibility:** Is the proposed district and all of its allowed uses compatible with the surrounding area?

Yes. The adjacent property to the north, east and south is zoned Industrial

3. **Capability:** Is the property capable of being used for a use permitted within the existing zoning district?

Yes, it is capable of being used in the CS and I districts

4. **Other considerations:** Will the rezoning require an inordinate expenditure of public funds (road improvements, utility extension, etc.) to make the development feasible?

No. The site is already constructed and serviced by public water and sanitary sewer.

5. **Will the rezoning cause development to “leap frog”** other undeveloped areas in the same zoning district and necessitate premature extensions of services to rural areas of the Township?

No. The site is ¾ surrounded by Industrial.

6. **Is there sufficient vacant land already zoned in a specific category** (e.g., industrial, multi-family, commercial)?

Not necessarily.

7. Is the rezoning more likely to be granted if conditions could be attached (rezonings cannot be conditional)?

No.

SUMMARY

The proposed zoning designation appears **to be consistent** with the language of the Master plan. The area is **determined to be capable** of sustaining the uses within the Industrial district. The uses allowed within the Industrial district are **compatible** with the neighboring uses, both the adjacent I and the adjacent CS.

OPTION FOR MOTION

If the Planning Commission determines that the property should be rezoned to I the following motion is provided.

Motion: To adopt the staff report as finding of facts and to recommend to the Township Board to approve the following resolution:

**Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2020-05)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on _____, 2020 beginning at 7:00 p.m., Township Board Member _____ made a motion to adopt this Ordinance because the proposed zoning designation is **consistent** with the language of the Master Plan; the area is **capable** of sustaining the uses within the Industrial district without addition public funds; the uses

allowed within the Industrial district are **compatible** with the neighboring uses, as recommended by the Planning Commission, and to adopt the staff report as finding of fact, which motion was seconded by Township Board Member _____:

**AN AMENDMENT TO THE GEORGETOWN CHARTER TOWNSHIP
ZONING ORDINANCE, AS AMENDED, AND MAP**

THE CHARTER TOWNSHIP OF GEORGETOWN (the “Township”) ORDAINS:

ARTICLE 1. The map of the Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to read as follows:

(REZ2004) Ordinance 2020-05 To change from (CS) Community Service Commercial to (I) Industrial a parcel of land described as P.P. # 70-14-13-427-011, located at 7560 River Ave., Georgetown Township, Ottawa County, Michigan.

Except as expressly modified by the above, the balance of the Zoning Map of the Georgetown Charter Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

ARTICLE 2. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

ARTICLE 3. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, and map shall remain unchanged and in full force and effect.

ARTICLE 4. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of seven (7) days from the date of publication of this Ordinance or a summary of its provisions in accordance with the law.

The vote in favor of adopting this Ordinance was as follows:

Yeas:

Nays:

Absent:

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: _____, 2019

By _____
Richard VanderKlok
Georgetown Charter Township Clerk

**Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2020-05)**

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The vote in favor of adopting this Ordinance was as follows:

- Yeas:
- Nays:
- Absent:

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

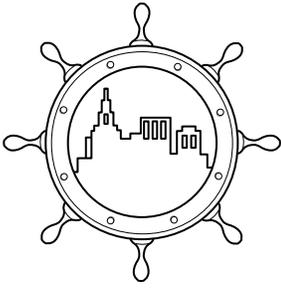
CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: _____, 2019

By _____
Richard VanderKlok
Georgetown Charter Township Clerk



Fresh Coast Planning

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Brian Werschem
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bwerschem@gmail.com

July 7, 2020

Mr. Tim Smit, Chairperson
Planning Commission
Georgetown Charter Township
c/o Mannelle Minier
1515 Baldwin Street
Jenison, MI 49428

[VIA EMAIL ONLY]

Re: Proposed Map Amendment (Rezoning) for 7560 River Avenue – 70-14-13-427-011

Dear Chairperson Smit:

On behalf of Leah Swathwood and Captain K9 of 7560 River Avenue, attached is an Application for Rezoning to change 7560 River Avenue from the Community Service Commercial (CS) Zoning District to the Industrial Zoning District. The purpose of our rezoning request is to operate a Kennel on the property.

As you know, our firm regularly provides planning and zoning services to numerous townships in West Michigan, seven of which are located within Ottawa County. We frequently advise our communities regarding rezoning requests. Within this letter we outline details of the property and your seven review standards.

Property Details

The property is approximately three quarters (3/4) of an acre in area. As you will note within the attached materials, the property is located on the east side of River Avenue, south of Baldwin Street just west of the Chicago Drive and I-196 expressway interchange. The property abuts the Industrial Zoning District to the north, east, and south. Property located across River Avenue to the west is zoned within the CS District. In addition, the property abuts the railroad at its southeast corner. As you may know, the existing building currently houses a dog grooming business.

Review Standards

Below are your review standards as provided within the Application for Rezoning. We address each of these related to our request, which we believe warrants a recommendation of adoption.

THE FOLLOWING STANDARDS WILL BE CONSIDERED BY THE PLANNING COMMISSION AND TOWNSHIP BOARD IN THEIR REVIEW OF THE REZONING REQUEST.

1. CONSISTENCY: IS THE PROPOSED ZONING AND ALL OF ITS PERMITTED USES CONSISTENT WITH THE RECOMMENDATIONS OF THE TOWNSHIP LAND USE PLAN?

As you are aware from Zoning Administrator Minier, the property is located within the Mixed Use PUD category of the Georgetown Charter Township Master Plan (GCTMP). The Mixed Use PUD category is described on page 38 of the GCTMP as follows.

Development in this category includes a mix of commercial, and/or residential and/or industrial uses intended to be served by public water and sewer services. In some cases, development of attached forms of housing may be appropriate, at low densities, in response to site specific circumstances, such as wetland, steep slope, floodplain, or other natural features constraints. The intention is to provide for flexibility in the regulation of land development and to encourage innovation in land use and variety in design, layout and type of structures, as well as to encourage open space and enhanced site and building architectural features.

For your convenience, below is a snapshot of our property and the surrounding properties within the GCTMP Map.



7560 River Avenue, 70-14-13-427-011 = Blue outline

-  PUD Mix, PUD Mix Use
-  CC, Community Commercial
-  HDR, High Density Residential

As Zoning Administrator Minier noted, the intent of the Mixed Use PUD category for our property and the immediately surrounding area was to accommodate one large development for mixed use purposes. As you know, this development did not come to fruition. Given this, an alternative category, such as Industrial, appears appropriate for our property. Consequently, we offer the following findings regarding Industrial property within the GCTMP.

Chapter Five – Traffic and Vehicular Circulation

On page 26 of the GCTMP, the text indicates that, “access to the I-196 expressway is provided at Chicago Dr...and at the east end of Baldwin St.” In addition, the GCTMP indicates that, “Baldwin, Cottonwood, Bauer, Fillmore, and Chicago Dr. are main thoroughfares that move traffic from residential areas to the Jenison commercial center and to the expressway interchanges.” As is evident from these provisions, our property is located immediately adjacent to the main thoroughfares, which is important to industrial uses. Not only does it eliminate noise and traffic disruptions from industrial uses in more populated residential areas, but the proximity also provides convenient and quick access that industrial users depend on for efficient operations, particularly related to distribution needs. Given this, our request is consistent with these provisions of the GCTMP.

Land Use Issues

The GCTMP identifies numerous Land Use Issues, including conflicts between uses. Specifically, on page 28 the GCTMP addresses the need to reduce negative impacts to residential developments when located in close proximity to industrial or commercial uses. In fact, in the instance of industrial or commercial uses within close proximity to residential developments, the language suggests that buffering elements should be used to reduce negative impacts. While this provision is more commonly used during land use review, we believe our proposal prevents this land use issue given our separation from residential development as a result of our location. Given this, our request is consistent with this provision of the GCTMP.

Goal

On the basis of your identified Land Use Issues, the GCTMP established several goals and policies. In particular, on page 30 the GCTMP indicates a desired goal “to achieve and maintain a mix of residential opportunities served by distinct neighborhood commercial nodes and identified industrial concentrations...” As mentioned above regarding the Land Use Issue of a conflict between uses and given the likely abandonment of the Mixed Use PUD category, we believe our request is consistent with this provision of the GCTMP by concentrating industrial property and creating a separation of uses where conflicts could otherwise occur.

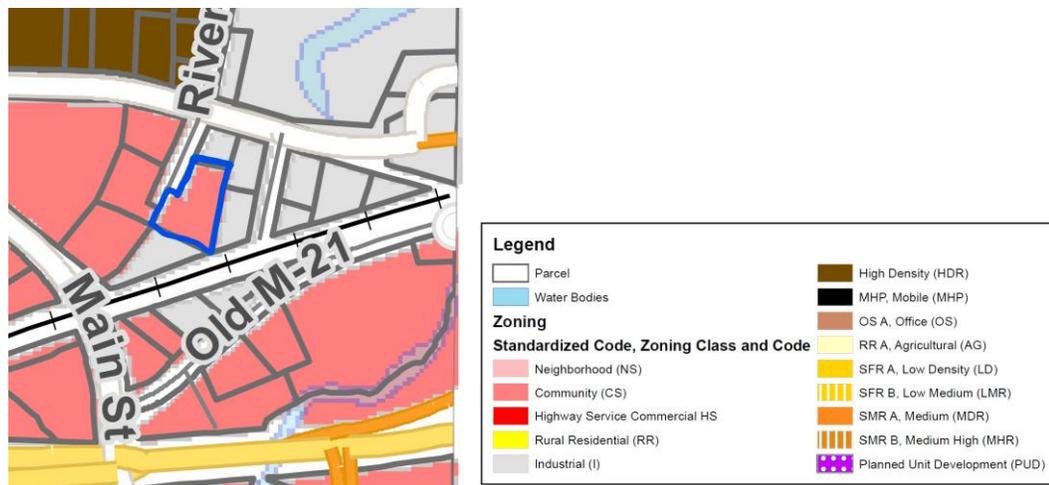
Industrial Land Use Policies

Additionally on the basis of your identified Land Use Issues, page 33 of the GCTMP indicates that, “new industrial development should be directed to select areas which have good road access and utility services, or are planned to receive them, and where conflicts with other land uses are minimized.” As noted within the Chapter Five portion of our letter above, our property is located with direct access to a significant transportation network, including Baldwin Street, Chicago Drive, and the I-196 expressway. Further, public utilities are present at our property. Given this, our request is consistent with the Industrial Land Use Policy of the Master Plan.

As a result of the aforementioned findings, we believe the proposed zoning is consistent with the recommendations of the GCTMP.

2. COMPATIBILITY: IS THE PROPOSED DISTRICT AND ALL OF ITS ALLOWED USES COMPATIBLE WITH THE SURROUNDING AREA?

As aforementioned, surrounding properties are zoned within the CS District and the Industrial District. For your convenience, below is a snapshot of our property and the surrounding properties within the Georgetown Charter Township Zoning Map. Our property, 7560 River Avenue, 70-14-13-427-011, is outlined in [blue](#).



In addition, surrounding uses to our property include the following:

- Insurance agency office
- Civil engineering office
- Orkin Pest Control
- Tattoo shop
- Oil and tire service center
- Muffler service center
- General warehousing

All of these surrounding uses are allowed within the Industrial Zoning District. Permitted uses within the Industrial Zoning District include office buildings, vehicle repair establishments, Contractor's yards, Contractor/showroom, Warehousing, and commercial enterprises producing merchandise on the premises to be sold at retail and/or wholesale. Given this, it is reasonable to conclude that any other permitted use within the Industrial Zoning District would be compatible with all of the surrounding uses since said uses are by right within the District.

Uses requiring special approval within the Industrial District include the following:

- Waste treatment facilities
- Water supply and treatment facilities
- Waste disposal facilities, including incinerators and sanitary landfills
- Airports and Landing fields
- Commercial soil removal
- Heating and electric power generating plants
- Junk yards and salvage yards
- Commercial radio and television and wireless communication towers
- Community Fair
- Restaurants having a distillery, brewery or winery on the same site

While these special uses are allowed within the Industrial Zoning District, it is unlikely that our property will support the majority of these uses given its area, except restaurants having a distillery, brewery or winery on the same site. In regards to said restaurant, our proximity to similar commercial-type use provides for the natural compatibility with those uses. Given the aforementioned, we believe that the property itself prevents any uses that could be incompatible with the surrounding area.

3. CAPABILITY: IS THE PROPERTY CAPABLE OF BEING USED FOR A USE PERMITTED WITHIN THE EXISTING ZONING DISTRICT?

Our property is capable of being used for a use permitted within the existing zoning district and is currently used for such with occupancy by Captain K9, which is a dog grooming facility. Despite this, our property is equally capable of supporting Industrial Zoning District uses including office buildings, vehicle repair establishments, Contractor's yards, Contractor/showroom, and commercial enterprises producing merchandise on the premises to be sold at retail and/or wholesale, among other uses.

4. OTHER CONSIDERATIONS: WILL THE REZONING REQUIRE AN INORDINATE EXPENDITURE OF PUBLIC FUNDS (ROAD IMPROVEMENTS, UTILITY EXTENSION, ETC.) TO MAKE THE DEVELOPMENT FEASIBLE?

Our requested rezoning will not require any expenditure of public funds to make the development feasible. As aforementioned, the adjacent transportation network is ideal for industrial uses particularly given our proximity to Chicago Drive and the I-196 expressway. In addition, public utilities already exist at the property.

5. WILL THE REZONING CAUSE DEVELOPMENT TO "LEAP FROG" OTHER UNDEVELOPED AREAS IN THE SAME ZONING DISTRICT AND NECESSITATE PREMATURE EXTENSIONS OF SERVICES TO RURAL AREAS OF THE TOWNSHIP?

Our requested rezoning will not cause development to "leap frog" other undeveloped areas in the same zoning district and necessitate premature extensions of services to rural areas of the Township. Again, our property benefits from an existing transportation network as well as public utilities. As shown on the Zoning Map excerpt within our letter, the requested Industrial Zoning District is immediately adjacent to our property to the north, east, and south. In addition, uses that are permitted within the Industrial Zoning District exist adjacent to our property. Therefore, no leap frog of development could occur.

6. IS THERE SUFFICIENT VACANT LAND ALREADY ZONED IN A SPECIFIC CATEGORY (E.G., INDUSTRIAL, MULTIFAMILY, COMMERCIAL)?

While additional vacant land exists within the Industrial Zoning District, the vast majority of said District land is occupied.

7. IS THE REZONING MORE LIKELY TO BE GRANTED IF CONDITIONS COULD BE ATTACHED (NOTE: REZONINGS CANNOT BE CONDITIONAL)?

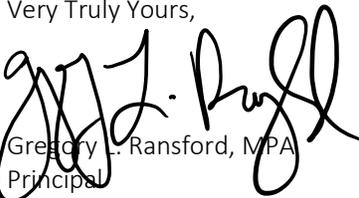
We do not believe that the rezoning is more likely to be granted if conditions could be attached, based on our aforementioned GCTMP findings and our findings regarding your Review Standards.

Conclusion

As a result of the aforementioned Master Plan findings and consideration of your Review Standards, we believe our request is consistent with the GCTMP, is compatible with surrounding districts and uses, and is capable of supporting the uses permitted within the Industrial Zoning District. As a result, we believe a recommendation of adoption is appropriate.

Thank you for your review and consideration of this request. If you have any questions, please do not hesitate to contact us anytime.

Very Truly Yours,



Gregory L. Ransford, MPA
Principal

Attachment

cc: Leah Swathwood, Captain K9

PERMIT NUMBER:

APPLICATION FOR REZONING

Georgetown Charter Township
1515 Baldwin St, P.O. Box 769
Jenison, MI 49429
616-457-2340

revised: January 26, 2009

APPLICANT INFORMATION

COMPANY NAME: Captain K9	PHONE: 616-431-1388
APPLICANT NAME: Greg Hansford Fresh Coast Planning (authorized agent)	616-638-1240
ADDRESS: 950 Taylor Avenue Ste 200	CITY / STATE / ZIP: Grand Haven, MI 49417

PROPERTY INFORMATION

COMPANY NAME: Captain K9	PHONE: 616-431-1388
OWNER / AGENT NAME: Leah Swathwood (Dubois Properties)	TITLE: Manager
ADDRESS: 7560 River Avenue	CITY / STATE / ZIP: Jenison, MI 49428
PARCEL NUMBER: 70-14-13-427-011	ZONING DISTRICT: CS
LEGAL DESCRIPTION: See attached	

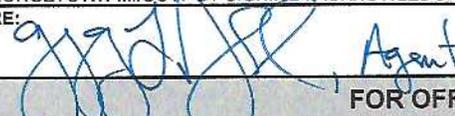
PROJECT INFORMATION

PROPOSED USE:
Rezoning to the Industrial Zoning District

STATE THE REASONS WHY THE CURRENT ZONING OF THIS PROPERTY SHOULD BE CHANGED AND HOW THIS REQUEST MEETS THE STANDARDS FOR REZONING LISTED ON THE ATTACHED SHEET:
Please see attached letter

APPLICANT SIGNATURE

IT IS THE APPLICANT'S RESPONSIBILITY TO MEET THE REQUIREMENTS OF THE TOWNSHIP ZONING ORDINANCE IN ALL RESPECTS AND TO PROVIDE THE NECESSARY INFORMATION TO THE TOWNSHIP FOR APPROVAL. COPIES OF THE ORDINANCE MAY BE OBTAINED FROM THE GEORGETOWN TOWNSHIP WEBSITE AT WWW.GEORGETOWN-MI.GOV. BY SIGNING I ACKNOWLEDGE THERE ARE NO REFUNDS FOR ANY REASON.

APPLICANT SIGNATURE:  Agent	DATE: 6/23/20
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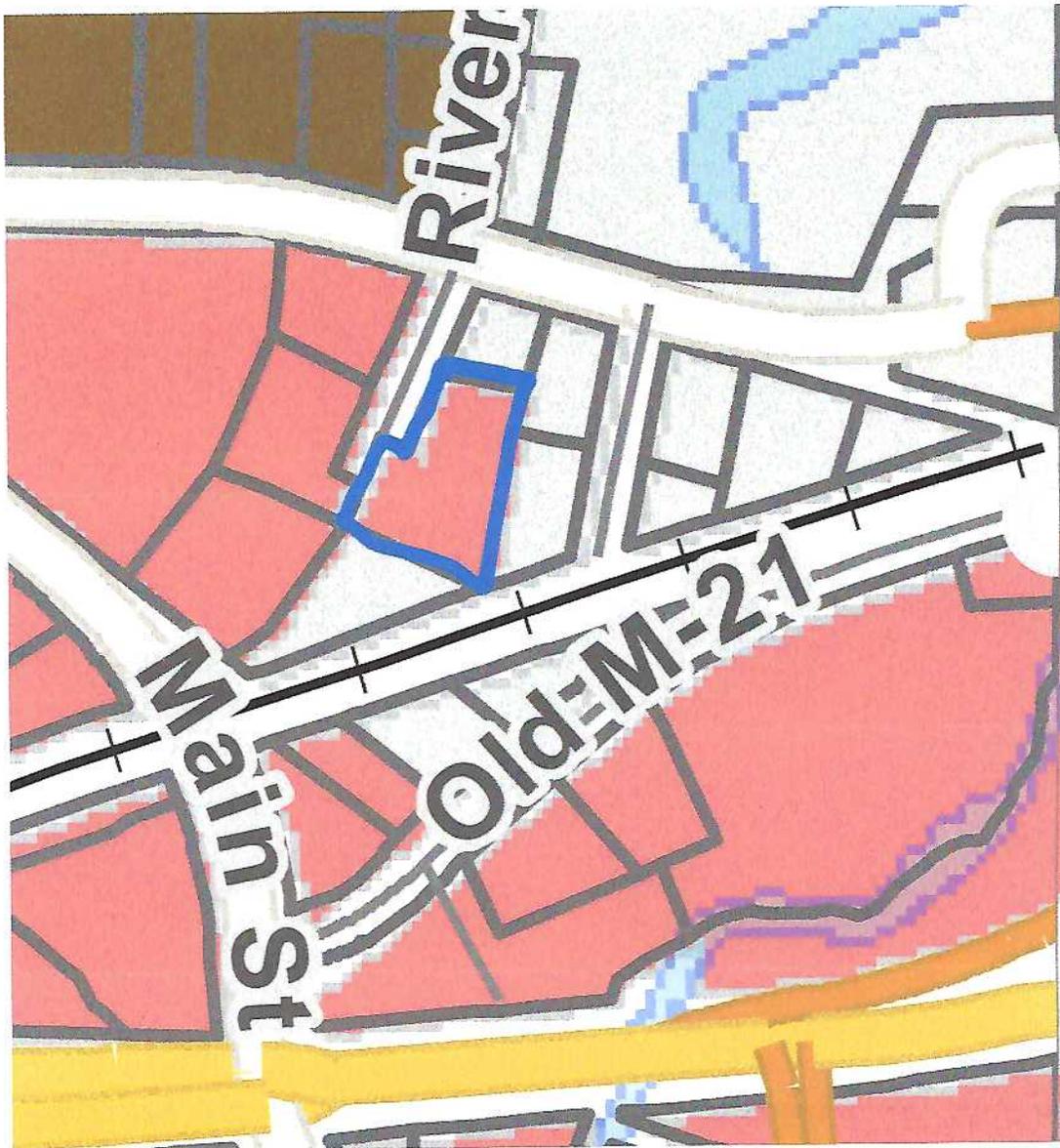
FOR OFFICE USE ONLY

DATE OF PREAPPLICATION MEETING:	DATE OF PLANNING COMMISSION MEETING:	
DATE OF TOWNSHIP BOARD MEETING:	DATE NOTICE PUBLISHED:	DATE PROPERTY NOTICES WERE SENT:

7560 River Avenue, Parcel Number 70-14-13-427-011

Legal Description:

S 52 FT OF LOT B, ALSO PART OF LOT 14 & PART OF VAC RIVER AVE COM NW'LY COR LOT 14, TH S'LY 54 FT ALG E'LY LI OF VAC RIVER AVE, N 68D 43M 45S W 33 FT TO CEN LI SD VAC AVE, S 21D 16M 15S W 107 FT ALG CEN LI, TH S 69D 17M 59S E 171.65 FT TO W LI OF E 95 FT OF LOT 14, N 08D 20M E 186.27 FT TO N'LY LI LOT 14, TH W'LY 99.4 FT TO BEG. JENISONVILLE PLAT



7560 River Avenue, 70-14-13-427-011 = Blue outline

Legend	
	Parcel
	Water Bodies
Zoning	
Standardized Code, Zoning Class and Code	
	Neighborhood (NS)
	Community (CS)
	Highway Service Commercial HS
	Rural Residential (RR)
	Industrial (I)
	High Density (HDR)
	MHP, Mobile (MHP)
	OS A, Office (OS)
	RR A, Agricultural (AG)
	SFR A, Low Density (LD)
	SFR B, Low Medium (LMR)
	SMR A, Medium (MDR)
	SMR B, Medium High (MHR)
	Planned Unit Development (PUD)