



## Fresh Coast Planning

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# MEMORANDUM

To: Tallmadge Charter Township Planning Commission  
From: Alexis Gulker  
Date: November 7, 2024  
Re: Blue Water Pools Special Use Application – 1600 Lake Michigan Drive

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Attached is a Special Use application from Michael Pare of Blue Water Pools to allow for outdoor storage of trucks, trailers, and equipment on their property, as allowed under Section 15.03(g)2, when used for a permitted commercial use, in the Tallmadge Charter Township Zoning Ordinance (TCTZO). Their property is located at 1600 Lake Michigan Drive. The property is located on the south side of Lake Michigan Drive, west of 14th Avenue.

The property is located within the General Commercial Zoning District (C-2). In section 15.03(g)2 of the TCTZO the outdoor storage of trucks and trailers and equipment is allowed as a special use when being used for a permitted commercial use. As you know, you recently approved Blue Water Pools to operate at this location.

The application has been reviewed and found generally complete. Further below we provide our observations and findings regarding the application for the Planning Commission and applicant to consider. While special use applications are typically approved by the Planning Commission, outdoor storage of this type is approved by the Board of Trustees. Given this, we believe a recommendation of approval may be appropriate.

### Proposed Use

As aforementioned, in accordance with Section 15.03(g)2 – General Requirements, Storage of the TCTZO, the applicant can seek a special use permit for the outdoor parking of motor vehicles which are used as part of a permitted commercial or industrial use and may exceed more than six (6) automobiles and four (4) trucks or trailers only after special use approval by the Township Board after review and recommendation by the Planning Commission. Below is a copy of said section for your convenience.

#### Section 15.03(g)2 - Storage

2. The parking out-of-doors of motor vehicles which are used as part of a permitted commercial or industrial use, including automobiles, trucks, or trailers, are permitted outside normal business hours of such commercial or industrial use; provided no more than a total of six (6) automobiles and four (4) commercial trucks or trailers shall be permitted. The outdoor storage of more than six (6) automobiles and four (4) trucks or trailers shall be permitted only after special use approval by the Township Board after review and recommendation by the Planning Commission in accordance to the provisions of Chapter 19.

As you will note on the proposed site plan, they are proposing 108 parking spaces, 59 of those parking spaces will be for the storage of vehicles they use for the permitted commercial use.

#### *Fire Department Review*

The Fire Department did not have any concerns with the new parking lot layout. Their review

letter is attached for your convenience.

### *Engineer Review*

Given the use does not propose any additional impervious surface or grade changes, we did not reach out to the Township Engineer for comments.

### **Observations and Findings**

#### *Handicap Parking Spaces*

On the proposed site plan the applicant is providing for only three handicap parking spaces and requested the Planning Commission only designate handicap spaces for the 42 employee and four customer parking spaces and not include the fleet and trailer parking spaces in the required handicap spaces calculation. Upon review of the TCTZO, it is not possible to request this without seeking a variance from the Zoning Board of Appeals. Therefore, if the Planning Commission would like to recommend approval to the Board for this special use there will need to be a condition that the applicant has to seek and obtain a variance or provide five handicap parking spaces for the 108 parking spaces proposed.

### **Special Use Standards**

As you know, the Planning Commission shall review the standards provided by Section 19.06 of the TCTZO during its deliberations. For your convenience, below is a copy of said section along with our comments in italic font to assist with your review.

SECTION 19.06. REQUIRED STANDARDS AND FINDINGS. The Planning Commission shall find adequate evidence showing that the proposed use on the proposed lot generally satisfies the following:

- (a) Will be harmonious, and in accordance with objectives, intent, and purposes of this Ordinance;

*Pending your condition of handicap parking spaces, it appears this standard has been met.*

- (b) Will be compatible with the natural environment and existing and future land uses in the vicinity;

*Given that the primary use of the property Commercial, we expect the site to be compatible with existing and future land uses. Nonetheless, pending comments received at the public hearing, you could conclude differently. Given this, it appears this standard may be met.*

- (c) Will be compatible with the Township Master Plan;

*A goal of the Tallmadge Charter Township Master Plan in the Commercial uses chapter is to "Accommodate commercial facilities that provide sufficient amounts of goods and services to meet the daily needs of a growing Township population," Blue Water Pools is a commercial facility that provides goods and services to the Township population. Therefore, by allowing this use it would achieve the goal of accommodating them.*

*Additionally, the commercial use matches the Master Plan Map, given this it appears this standard may be met.*

- (d) Will not be detrimental, hazardous, or disturbing to existing and future neighboring uses, persons, property, or the public welfare;

*While we do not believe the proposed use will be detrimental or hazardous to existing or future neighboring uses, pending comments received during the public hearing, this standard may be met.*

- (e) Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

*We are unaware of any additional costs as a result of the proposed use. Given this, it appears this standard has been met.*

### **Site Plan Standards**

As you additionally know, the request shall be reviewed pursuant to the site plan review standards provided in Section 18.06 of the TCTZO. For your convenience, below is a copy of said section along with our comments in italic font to assist with your review.

SECTION 18.06. STANDARDS. The Planning Commission shall review the site plan for compliance with the requirements of this Ordinance and conformance with the following general standards:

- (a) The applicant may legally apply for site plan review.

*The applicant is the owner of the property. Given this, it appears that this standard has been met.*

- (b) All required information has been provided.

*All required information has been provided. As a result, it appears this standard has been met.*

- (c) The proposed development conforms to all regulations of the zoning district in which it is located.

*Pending your condition of handicap parking spaces, it appears this standard has been met.*

- (d) All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

*We believe all elements of the site plan are harmoniously and efficiently organized, particularly given that the applicant is not proposing any additional buildings and is utilizing the site for the same use it has right now. Given this, it appears this standard has been met.*

- (e) The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas.

*There is not a significant amount of landscaping to be preserved on the site, however, the applicant is generally maintaining the site as it exists today. As a result of the addition of the required parking lot landscaping, which will increase the vegetation on site, it appears this standard has been met.*

- (f) Natural resources will be preserved to and protected to the maximum feasible extent and organic, wet, or other soils which are not suitable for development will be undisturbed or will be modified in an acceptable manner.

*Given that the applicant is not proposing any new structures and particularly because the applicant is not proposing any improvements in areas that are wet, it appears this standard has been met.*

- (g) The proposed development will not cause soil erosion or sedimentation problems.

*We do not believe the proposed will cause any soil erosion or sedimentation problems given that no new structures are proposed. As a result, it appears this standard has been met.*

- (h) The drainage plan for the proposed development is adequate to handle anticipated storm water runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area.

*Given that no new structures are proposed, it appears this standard has been met.*

- (i) The proposed development properly respects floodways and floodplains on or in the vicinity of the subject property.

*Given that the site is adjacent to Lake Michigan Drive and are significantly separated from the Grand River, we believe the development property respects floodways and floodplains. Given this, it appears this standard has been met.*

- (j) The plan meets the specifications of Tallmadge Township for water supply, sewage disposal or treatment, storm drainage, and other public facilities.

*Given that the applicant is not proposing any additional buildings and is utilizing the site for the same use it has right now and is just requesting additional parking spaces for storage of vehicles on site, it appears this standard has been met.*

- (k) With respect to vehicular and pedestrian circulation on the site, including walkways, interior drives, and parking; special attention shall be given to the location, number and spacing of access points; general interior circulation; separation of pedestrian and vehicular traffic; the avoidance of building corners next to access drives; and the arrangement of parking areas that are safe and convenient, and insofar as practicable, do not detract from the design of the proposed buildings and structures, neighboring properties and flow of traffic on adjacent streets.

*We believe the proposed site plan generally accommodates vehicular and pedestrian circulation within this site.*

- (l) All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means as required by the Township fire department.

*Given that the applicant is not proposing any additional buildings it appears this standard does not apply. However, we did send the application to the Fire Department to review the new parking lot layout, and they had no concerns with it.*

- (m) The site plan shall provide reasonable, visual, and sound privacy for all dwelling units located therein. Fences, walks, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

*Given that no dwelling units are proposed for this development, we believe this standard does not apply.*

- (n) All loading and unloading areas and outside storage of materials which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials. Also, outdoor storage of garbage and refuse shall be contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties.

*The new proposed parking spaces for outdoor storage of vehicles is in the southern portion of the parcel and not close to the north property line fronting Lake Michigan Drive and the west property line has a screened fence already. Given this, it appears this standard has been met.*

- (o) All lighting shall be shielded from adjacent properties and public right-of-way.

*Given that no new lighting is proposed, it appears this standard may be met.*

- (p) Phases of development are in logical sequence so that any phase will not depend upon a subsequent phase for adequate access, public utility services, drainage, or erosion control.

*There are no proposed phases of development. Given this, it appears this standard does not apply.*

- (q) Site plans shall conform to all applicable requirements of state and federal statutes and approval may be conditioned on the applicant receiving necessary state and federal permits before a building permit or occupancy permit is granted.

*We believe this standard can be considered accordingly.*

### **Public Hearing and Board Approval**

Given that the request is a special use, a public hearing is required to be conducted by the Planning Commission. As aforementioned, while the Planning Commission would ordinarily render a decision on a special use following the public hearing, the TCTZO indicates that this special use requires the application to be approved by the Board of Trustees. Given this, your review is a recommendation to the Board of Trustees.

### **Planning Commission Considerations, Recommendation, and Draft Motion**

As the Planning Commission deliberates regarding this application, we believe the following warrant your review and consideration. They are listed in no particular order:

- Consideration of the Special Use Standards provided in Section 19.06
- Consideration of the Site Plan Review Standards provided in Section 18.06

### *Recommendation and Draft Motion*

Given our recommendation of approval and in an effort to assist with your formulation of a motion in that regard, we offer the following motion for your consideration. In the event a motion is offered to deny, we will gladly draft that motion for consideration at your next meeting based on your direction.

**Motion to recommend approval of the site plan as presented, because it meets the standards provided in Section 18.06 and Section 19.06. The site plan includes:**

- Special Use Application form, dated 10.15.24
- BWPGR Special Use Application request explanation
- 1600 Lake Michigan Drive Current Site Plan
- 1600 Lake Michigan Drive Proposed Site Plan revised 11.6.24

**with the following conditions:**

1. The applicant seeks and receives a variance for the handicap parking spaces or revises the site plan to provide for five handicap spaces as required in the TCTZO. If the applicant does not receive a variance this approval is void unless the applicant provides for five handicap parking spaces.
2. [Insert Condition, if necessary]
3. [Insert Condition, if necessary]

The proposed is scheduled for your November 19, 2024, meeting, as a public hearing. If you have any questions, please let us know.

AG  
Planner

Attachments

cc: Mark Bennett, Supervisor