

REQUEST

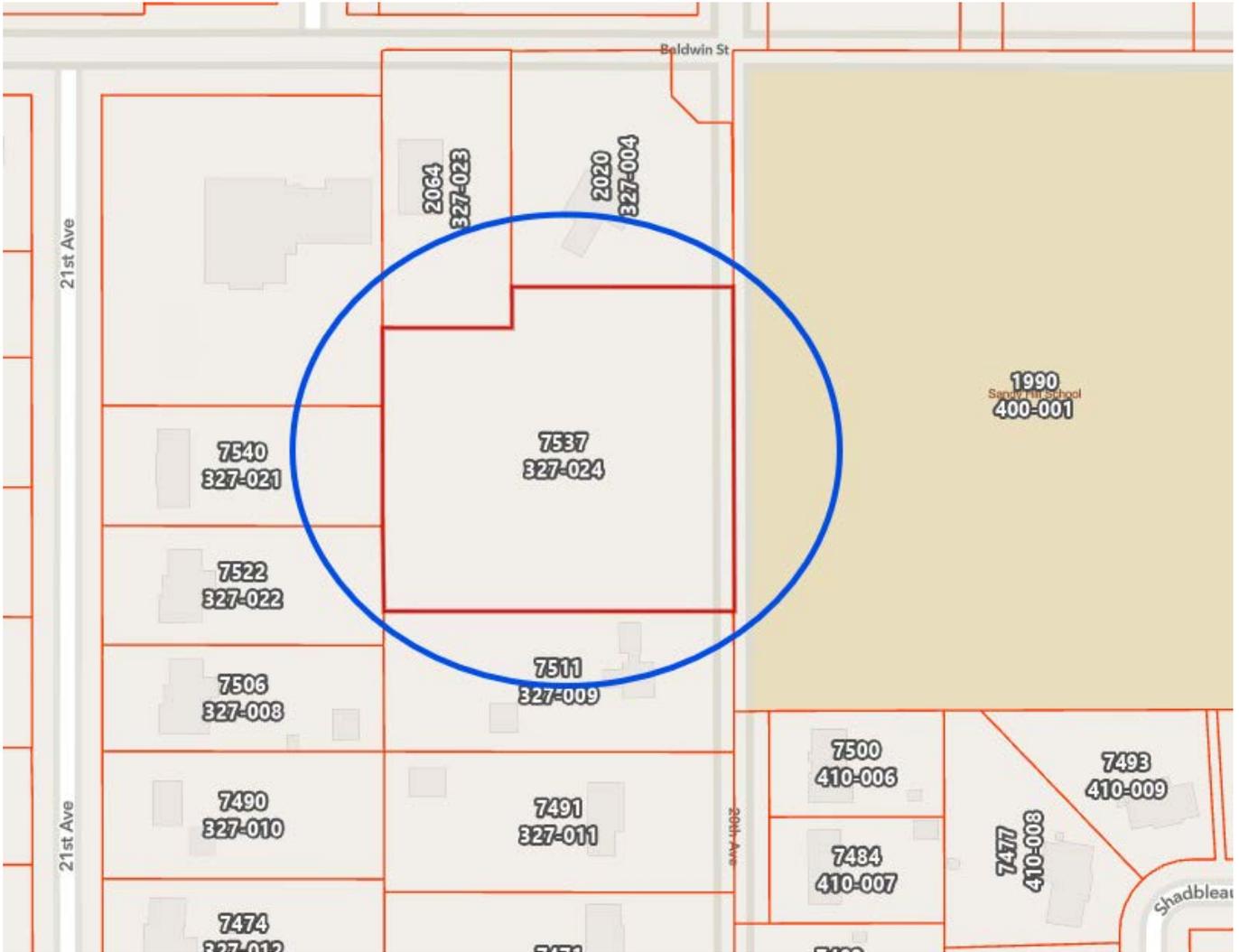
(SUP2502) 7537 20th Ave LLC, 7537 20th Ave., is requesting to have a restaurant (no drive-through), under Sec. 13.3(B), on a parcel of land described as P.P. # 70-14-15-327-024, located at 7537 20th Ave., in a Office Service (OS) Commercial district, Georgetown Township, Ottawa County, Michigan.

The Applicant is requesting to operate a restaurant under Sec. 13.3 (B). Sec. 2.83c defines a restaurant (no drive-through) establishment as follows:

Sec. 2.83c RESTAURANT

A site where food and drink are prepared and served to customers in exchange for money. Meals are generally served and eaten on the premises, but a restaurant may also offer take-out and food delivery service. A bona fide restaurant shall have at least fifty (50) percent of its gross receipts derived from the sale of food and beverages other than alcoholic liquors. A restaurant can have a distillery, brewery or winery on the same site if approved pursuant to this Ordinance.





PROPOSED SITE PLAN

The Applicant received site plan approval for the property on 10/4/2024 with ST2408. The approved site plan is unchanged with this request for Special Land Use to operate a restaurant per Sec. 13.3 (B) besides the parking calculation.

Parking Calculation

An updated parking calculation has been provided on the site plan and in the General Notes Revision submittal.

- Restaurant Use: 36 spaces required (2,500 UFA / 70 = 36)
- Dentist Office: 42 spaces required (14 exam rooms * 3 = 42)
- Counseling Office: 6 spaces required (1560 GFA / 300 = 6)
- Vacant Tenant Space (assuming office space) 5 spots required (1320 GFA / 300 = 5)
 - o Total required: 36 + 42 + 6 + 5 = 89 spaces
 - o 25% parking reduction per Sec. 26.9 (K) = 67 spaces required
 - o 74 spaces provided. **Met**

HISTORY

Similar Applications

The Planning Commission has been presented with a SUP request to operate a restaurant in the OS district on at least one other occasion. In 2005, (SUP0513) Orion Construction applied to have a sit-down restaurant at 7559 36th Ave. Ultimately, this request was denied because it did not meet the general standards of the ordinance for a special use permit listed in Sec. 20.3(A), specifically standard number one because the restaurant was not compatible with the neighborhood, it was not harmonious and appropriate with the existing or intended character of the general vicinity, and it would change the essential character of the area in which it was proposed. It also did not meet standard number four of the general standards in Sec. 20.3 (A) because a restaurant involves uses, activities, processes, materials, and equipment or conditions of operation that would be detrimental to persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

It is worth noting that the property in question has some similar elements to 7559 36th Ave. Both properties are located adjacent to LDR and in the general vicinity of a public school. However, there is a larger commercial presence near 7537 20th Ave. unlike 7559 36th Ave. that is the only commercial parcel on the southwest side of 36th Ave. and Baldwin St. (Per Planning Commission meeting minutes of 12/21/2005).

Variance Request

(VAR2405) was approved by the Zoning Board of Appeals with motion #240724-02 to allow for parking 62 feet from the centerline of 20th Ave., a variance of 28 feet from the required 90 feet from the centerline of 20th Ave.

MASTER PLAN

The Master Plan on page 34 discusses the purpose of the Office Service district:

OS-Office Service

This category includes personal and business service uses which typically are of low intensity and do not generate high traffic volumes. Examples include professional, administrative and medical offices, banks, and services such as dry cleaning and photocopying. These types of uses do not involve processes or activities that are visually objectionable or which produce noise, odors, dust, smoke or other environmental effects.

The Master Plan page 38 discusses the Baldwin St. Corridor:

Baldwin St. Corridor

A major goal of the Plan that has been established and continues to be important is to maintain a residential living environment along Baldwin St. frontage, where non-residential uses have not already been established. ***The Jenison commercial core and the small clusters of commercial and office service uses near 20th Ave.***, west of 12th Ave. and at the northwest corner of Baldwin and 36th Ave. should be maintained.

DISCUSSION

Chapter 13 of the Zoning Ordinance outlines uses in the OS district. Sec. 13.3 lists uses that may be permitted by obtaining Special Land Use approval when all applicable standards in Chapter 20 are met. Of the uses permitted by obtaining Special Land Use approval, **Restaurants or other establishments**

servicing food and beverages but not including drive-throughs. This includes restaurants having a distillery, brewery or winery on the same site. (revised 11/25/18) is listed under 13.3 (B).

This process includes site plan approval. Site plans shall contain all items listed under Sec. 19.4, **unless specifically waived by the Planning Commission.**

SUMMARY

The Planning Commission will determine whether this location is an appropriate place for a restaurant while evaluating the Special Land Use standards outlined in Chapter 20. This specific use does not have site specific standards, but the general Special Land Use standards in Sec 20.3 of the Zoning Ordinance still apply.

REVIEW

Sec. 20.3 General Standards

- (1) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed. **Planning Commission to determine.**
- (2) Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools. **Appears to be met.**
- (3) Not create excessive additional requirements at public cost for public facilities and services. **Appears to be met.**
- (4) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors. **Planning Commission to determine.**

There are no specific site design standards for this proposed use in Sec 20.4 of the Zoning Ordinance.

OPTION FOR MOTION - *If the Planning Commission concurs that the standards of the ordinance have been met, the following motions are offered. If the Planning Commission determines that the standards have not been met or revisions are necessary or more information is needed, the request could be tabled.*

Special Land Use Permit

Motion: To adopt the staff report as finding of fact and to approve the Special Land Use Permit for (SUP2502) 7537 20th Ave LLC, 7537 20th Ave., is requesting to have a restaurant (no drive-through), under Sec. 13.3(B), on a parcel of land described as P.P. # 70-14-15-327-024, located at 7537 20th Ave., in a Office Service (OS) Commercial district, Georgetown Township, Ottawa County, Michigan, based on the findings that all applicable standards of the ordinance have been met including the general special land use standards in Sec. 20.3.

Site Plan

*** Note:** The original site plan was approved with ST2411 and has already received Ottawa County Road Commission approval and Ottawa County Water Resources Storm Water Drain Permit approval. *

Motion: To approve the site plan with a revised date of 4/17/2025, as presented on Exxel Engineering File No. 231946E, based on the findings that all applicable standards of the ordinance have been met, and with the following conditions:

- 1. Approved sign permits shall be obtained prior to any sign construction and all signs must meet ordinance standards. It is noted that the “Prop. Sign” shown on the Site Plan is located within the front setback and would not meet the standards of the ordinance.**

(Options for conditions: The Planning Commission can add conditions that further the requirements of the Ordinance to ensure the use is harmonious with the surrounding area and not detrimental to adjacent properties. EX: Adding additional landscaping, requiring specific hours of operation, etc.)

Criteria used for the site plan review:

I D number	SUP2502	Date	4/11/2025
Name	7537 20 th Ave LLC		
Address	7537 20 th Ave.		
Use	Multi-tenant medical office and restaurant (no drive-through)	SUP Required	Restaurant Requires SUP

REQUIREMENT	PROVIDED	Needs or Comments
Date, north arrow, scale	X	
Name, address of preparer	X	
Name, address of property owner or petitioner	X	
Location sketch	X	
Legal description	X	
Size in acres of the property	X	
Property lines and required setbacks shown and dimensioned	X	
Location of existing structures, drives, parking areas within 100 ft of boundary	X	
Location and dimensions of existing and proposed structures	X	
Location of existing and proposed drives (dimensions and radii), circulation	X	
Sidewalks, non-motorized paths-select streets, accel, decel lanes	X	
Signs, exterior lighting	X	
Curbing, parking areas, dimensions of typical space, number of parking spaces	X	
Calculations of parking spaces, unloading areas	X	
Location, pavement width, ROW of all abutting roads, easements	X	
Existing zoning, and zoning and use of abutting property	X	
Location of existing vegetation-parkway association	X	
Location, type, size of proposed landscaping, streetscape, greenbelt	X	
Location, height, type of existing and proposed fences and walls	X	
Size, location of proposed, existing utilities, connections to water/sewer	X	a. DPW
Location, size of surface water drainage facilities	X	b. OCWRC
Existing, proposed topo contours, max 5 ft intervals	X	
Rec/common areas, floodplain areas	X	
Special Use Standards, general and specific	X	
Residential development extra requirements attached garages	X	
Fire Department Approval of Parking Layout	X	