

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
DECEMBER 14, 2016

I. CALL TO ORDER

Cousins called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:30 p.m.

II. ROLL CALL

Members present: Cousins, Kieft, Taylor, Robertson, Wilson, and Reenders

Members absent: LaMourie and Chalifoux

Also present: Fedewa and Attorney Bob Sullivan

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the November 21, 2016 meeting were approved.

V. CORRESPONDENCE

A. Pre-Application Presentation – Regency at Grand Haven – Nursing Home PUD

- Denny Churette, Churette Group LLC – 333 Washington Avenue, Grand Haven

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY

- Jody Carter – 14715 Mercury Drive, has concerns about the proposed Dollar General:
 - Not favorable to having a loading zone within the side yard. The adjacent gas station has a loading zone in the rear yard, and is still audible to adjacent residential dwellings.
 - Mercury Drive is one of the top 5 most traveled roads in Ottawa County:
 - 9,100 vehicles per day west of 144th Avenue
 - 12,000 vehicles per day northwest of Groesbeck
 - Those figures do not include traffic exiting the gas station or manufactured home park. If the traffic count data included the gas station, manufactured home park, and Dollar General the traffic counts would be much higher.
 - Due to the high traffic volumes in this area it is difficult for residents to use the center-left turn lane to enter their driveways because it is usually consumed by

vehicles turning into the gas station or manufactured home park. Vehicles stacking on a public road in this fashion is dangerous.

- Believes a driveway on the eastern portion of the subject property will exacerbate this issue.
- Believes the gas station and Dollar General should have an internal driveway connection to provide vehicles with alternative route aside from utilizing Mercury Drive.
- Believes a traffic impact study should be requested for this development prior to approving a driveway on the eastern portion of the subject property.

VII. PUBLIC HEARING

A. Special Land Use – Outdoor Pond – Crossroads Acres LLC

Reenders recused himself due to a conflict of interest—he is the applicant of the Special Land Use Outdoor Pond application. Furthermore, Reenders and Attorney Bob Sullivan noted for the record that Scholten Fant has represented Reenders in other municipalities. Neither the Township or Reenders object to Scholten Fant providing representation during this meeting.

Fedewa provided an overview through a memorandum dated December 8th.

Cousins opened the public hearing at 7:37pm.

There being no public comment Cousins closed the public hearing at 7:38pm.

VIII. OLD BUSINESS

A. Special Land Use – Outdoor Pond – Crossroads Acres LLC

The application was discussed by Commissioners and focused on:

- No discharge pipe is being proposed. Spoils will be utilized onsite for agricultural purposes. Pond will be filled naturally utilizing the water table.

Motion by Robertson, supported by Kieft, to **approve** the Outdoor Pond Special Land Use application for 11101 144th Avenue, based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report. **Which motion carried unanimously.**

Report

1. This approval is based on the affirmative findings that each of the following standards has been fulfilled:

- A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.
 - B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.
 - C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.
 - D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.
 - E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.
 - F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.
 - G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.
 - H. The proposed use is consistent with the health, safety, and welfare of the Township.
2. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:
- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.
 - B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
 - C. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
 - D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.
 - E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

- F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
- G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
- H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
- I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
- J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
- K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
- L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.
- M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
- N. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
- O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

IX. NEW BUSINESS

Reenders rejoined the Planning Commission.

A. Site Plan Review – Dollar General

Fedewa provided an overview through a memorandum dated December 9th.

The applicant, Scott Knowlton of Midwest V LLC, and engineer Jim Milanowski of Milanowski & Englert were present and available to answer questions:

- Knowlton:
 - Internal access easement for future driveway connection is a deal-breaker for their client—Dollar General—because the corporate office would require the gas

station to encumber their property with a competitive use restriction. Past practice has deemed this too difficult to pursue.

- Willing to extend sidewalk to property line to promote walking between both businesses.
- Willing to grant easement on adjacent property to the rear (parcel no. 70-07-01-400-059) to allow an internal connection to the rear of the gas station property.
- Milanowski:
 - OCRC has reviewed all the plans and provided preliminary approval of the driveway design located on the eastern portion of the subject property.
 - Believes a shared driveway will only confuse drivers.
 - Believes vehicles will have the same turning movements regardless of an internal driveway.
 - Does not believe an internal connection should be allowed because it would be considered a road, and used as a road.

The application was discussed by Commissioners and focused on:

- Agreeable to deferring 10 parking spaces.
- Fedewa explained the anticipated traffic volumes do not warrant a Traffic Impact Study.
- Staff recommended the applicant provide an easement for a future internal driveway connection with the gas station property. This is recommended because it coincides with the access management plan that is incorporated into the US-31 and M-45 Area Overlay Zone. This plan allows one driveway access and all additional points of access need to be created internally or the applicant must provide compelling evidence as to why the Township should allow more than one driveway.
 - Staff described the M-11/28th Street design in the Kentwood/Grand Rapids area. Over time, the majority of businesses have created internal access drives between the parking lots in order to allow vehicles to patron other businesses without reentering the major thoroughfare.
- Commissioners discussed the staff recommendation for an internal driveway easement:
 - Some Commissioners believe the internal connection is necessary for safety.
 - Some Commissioners believe the internal connection would be used as a road and cause safety issues.

- Likely the internal driveway at the front between the parking lots would not come to fruition because the gas station would not agree to Dollar General's terms of encumbering the property with a competitive use restriction.
- Doubtful vehicles would utilize a rear driveway connection because the travel distance is farther than it would be to use Mercury Drive. Signage would need to be used to direct traffic and notify them of its existence.
 - However, out of both easement location options (*front and rear*) the rear connection is more likely to be created.
- Staff recommended the Planning Commission could revise the language of the easement condition to allow the applicant an opportunity to provide the Commission with compelling evidence that an internal driveway connection at the parking lot would cause more safety issues than it would resolve. If such evidence is provided the Commission could remove the easement requirement.

Motion by Wilson, supported by Reenders, to **conditionally approve** the Site Plan Review application submitted by Dollar General for a retail business located at Parcel No. 70-07-01-400-058 on Mercury Drive, based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report. Approval is conditioned upon the following:

1. An access easement shall be provided to allow for a future shared driveway connection between the subject parcel and the business immediately west. This easement shall be located on the adjacent property with Parcel No. 70-07-01-400-059 and shall travel around the rear of the Dollar General building. Furthermore, once constructed directional signs shall be employed to notify drivers of the internal access.
2. Aside from the anticipated ice machine no other outdoor displays, outdoor storage, or ancillary sales areas are permitted.
3. No building permits shall be issued until permits have been obtained from all applicable agencies. Including, but not limited to the OCRC and OCWRC.
4. Applicant shall continually maintain trees and landscaping as shown on the approved site plan.

Which motion carried, with Taylor opposing due to the easement being located at the rear of the property instead of the front.

Report

The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.
- B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
- C. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
- D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.
- E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
- G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
- H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
- I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
- J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate stormwater, prevent erosion and the formation of dust.
- K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
- L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.
- M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
- N. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
- O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

B. Pre-Application Presentation – Regency at Grand Haven – Nursing Home PUD

Fedewa provided an overview through a memorandum dated December 9th.

The developer's representatives, engineer Scott Peruski of PEA Inc., and Andy Turbett of the NSA firm provided an overview of the proposed project and were available to answer questions:

- The parent company is the largest skilled nursing care facility in Michigan. The same company also has facilities in Ohio and Indiana.
- Not offering any form of “memory-care” at the proposed facility.
- 70% of the residents are short-term rehabilitation patients and will stay at the facility 30 days or less. The remaining 30% are considered long-term residents.
- The short-term residents have more frequent visitors compared to the long-term residents, which is one reason for the request for additional parking.
- Willing to defer parking spaces until they are needed. Furthermore, are willing to bank 24 spaces immediately based on the comparative parking data that was supplied.
 - Corporate has not made a determination on staffing hours. Will either be three 8-hour shifts or two 12-hour shifts. These shifts overlap by 1 hour, thus additional parking is requested to handle the overflow.
- Typical building materials are brick, stone, siding, and shingles.
- Stormwater infiltration basin along east boundary line. The design is based on best management practices, but would require tree removal.

The proposed development was discussed by the Commissioners and focused on:

- Current level of parking is much higher than what is permitted. Compelling parking information will be necessary to approve a departure of this magnitude.
- Any parking that is deferred should be from the front, so the aesthetic value is increased during the interim.
- Maintaining, and enhancing, the visual buffer between the subject property and the multi-family residential development to the east is a priority.
- Proposed project site is located within an area the Master Plan identified as having a vulnerable population and this development would increase the number of vulnerable people within this area. Therefore, it is important for the developer to review and implement segments of the vulnerability analysis and recommended best management practices to increase the quality of life and decrease the negative impacts.
 - Specifically, utilizing canopy trees to offset the heat island effect created by impervious surface.

C. Housekeeping – Appointment of Officers and Approval of 2017 Meeting Date Schedule

Fedewa provided an overview through a memorandum dated December 8th.

Without objection, Cousins was nominated and re-appointed as the Chairperson.

Without objection, LaMourie was nominated and re-appointed as the Vice Chairperson.

Without objection, Robertson was nominated and re-appointed as the Secretary.

Motion by Robertson, supported by Taylor, to **approve** the 2017 Planning Commission Meeting Date Schedule as presented and notes the new commencement time of 7:00pm.

X. REPORTS

A. Attorney Report – None

B. Staff Report

- The Township can provide a GHT-domain email address and allow the Commissioners to install the Outlook application on their devices such as a smart phone or tablet, but if a desktop computer is utilized the Township website is the only method of retrieving emails. Staff noted the Commissioners would be required to sign an agreement acknowledging that if the device is lost or stolen the Township will “wipe” the device clean (*e.g., perform a factory reset*) to ensure the Township servers are not compromised. Commissioners expressed approval, so staff will begin working on this project in early 2017.

C. Other

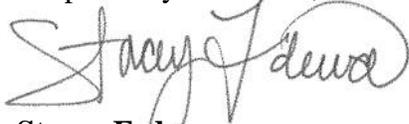
- Reenders noted the Township Board removed the fence requirement from the Brucker Beach Woods Site Condominium application because the Board did not want to begin classifying “attractive nuisances.”

XI. EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY – None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 9:21 p.m.

Respectfully submitted,



Stacey Fedewa

Acting Recording Secretary