

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
FEBRUARY 19, 2018

I. CALL TO ORDER

Wilson called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:00 p.m.

II. ROLL CALL

Members present: Wilson, LaMourie, Taylor, Chalifoux, Hesselsweet and Wagenmaker

Members absent: Kieft, Cousins, and Reenders

Also present: Community Development Director Fedewa, Attorney Bultje, and Assistant Zoning Administrator Hoisington

Without objection, Wilson instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the February 5, 2018 meeting were approved.

V. CORRESPONDENCE

- Crockery Township – Notice of Intent to Create Sub-Area Plan for SW Quadrant

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. PUD – Commercial – Robbins Centre Pointe

Wilson opened the public hearing at 7:04pm.

Fedewa provided an overview through a memorandum dated February 16th.

The project engineer Justin Longstreth, architect Jim Ramey, and developers Bill Bowling and Keith Walker were present and available to answer questions:

- Explained revisions to site plan to comply with the comments received from the traffic study, the February 5th planning commission discussion, the February 13th joint planning commission meeting, and the February 16th meeting with township and city staff regarding the driveway placement.
- Concern was raised about the number of parking spaces if multiple food service businesses would be tenants:
 - Pizza Hut’s franchising now has buildings 1/3 of their typical size, so the focus is no longer on dine-in.
 - Not a “food heavy” development site

- Explanation of proposal to relocate the entrance to Whittaker Way and the coordination that will be needed with Health Pointe and Meijer.

There being no further comments, Wilson closed the public hearing at 7:20pm.

VIII. OLD BUSINESS

A. PUD – Commercial – Robbins Centre Pointe

The application was discussed by the Commissioners and focused on:

- Concerns were raised again regarding the proposed location of the main entrance on Robbins Road and how it aligns with Walgreens.
- Concern was raised about stacking and vehicle storage at the main entrance because there is not enough throat depth.
- Results of traffic study were reviewed.
- Right-in/right-out option was discussed, which would include the installation of a “pork chop” curb to prevent left-in turn movements.
 - Others expressed this is not a desirable option because there are no other locations to make a left-turn onto westbound Robbins Road along the segment between US-31 and 172nd Avenue.

Motion by Taylor, supported by Wagenmaker, to recommend the Township Board **conditionally approve** the Robbins Centre Pointe PUD application. This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Joint Robbins Road Corridor Plan. The motion is subject to, and incorporates, the following report concerning the Planned Unit Development, including conditions of approval. **Which motion carried**, with LaMourie voting in opposition because of access management, and indicated by the following roll call vote:

Ayes: Taylor, Wagenmaker, Wilson, Chalifoux, Hesselsweet
 Nays: LaMourie
 Absent: Cousins, Kieft, Reenders

REPORT – ROBBINS CENTRE POINTE PUD

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following report of the Grand Haven Charter Township Planning Commission (the “Planning Commission”) concerning an application by Robbins Centre Pointe, which is comprised of Robbins Road Real Estate LLC and Bowling Family Investment LLC (the “Developers”) for approval of a Planned Unit Development (the “Project” or the “PUD”).

The Project will consist of six commercial buildings. The first phase being the existing gas station, which was approved via a Special Land Use application on 4/17/2017, and is hereby being incorporated into the Project. The second phase will be a 14,675 square foot multi-tenant retail building (denoted as “Building S” on the Project plans). The future phases will include four additional retail buildings, one of which could be a restaurant. These future phases are to be constructed as market demands.

The Project as recommended for approval is shown on a final site plan, last revised 2/16/2018 (the “Final Site Plan”), final civil plans, last revised 1/18/2018 (the “Final Civil Plans”), and final architectural plans, last revised 1/24/2018 (the “Final Architectural Plans”); collectively referred to as the “Documentation,” presently on file with the Township.

The purpose of this report is to state the decision of the Planning Commission concerning the Project, the basis for the Planning Commission’s decision, and the Planning Commission’s decision that the Robbins Centre Pointe PUD be approved as outlined in this motion. The Developers shall comply with all of the Documentation submitted to the Township for this Project. In recommending the approval of the proposed PUD application, the Planning Commission makes the following findings pursuant to Section 17.04.3 of the Zoning Ordinance:

1. The Project meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, pursuant to Section 23.06.7, the Board 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 Documentation 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 and City of Grand Haven 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 Documentation 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.
2. The Planning Commission finds that the Project meets the intent for a PUD, as described in Section 17.01.3 of the Zoning Ordinance. By approving this Project as a PUD, the Township will be able to negotiate various amenities and design characteristics as well as additional restrictions with the Developer, as described in this report, which the Township would not be able to negotiate if the PUD Chapter of the Zoning Ordinance was not used.
 3. Section 17.01.5, Section 17.02.1.B.1-4 of the Zoning Ordinance, as well as Section 503 of the Michigan Zoning Enabling Act, allow for departures from Zoning Ordinance requirements; these provisions are intended to result in land use development that is substantially consistent with the goals and objectives of the Township Master Plan and the Zoning Ordinance, and consistent with sound planning principles. The Developers have requested six departures. The Planning Commission makes the following findings.
 - A. Sections 15A.061 and 15A.06.2 – allow a total of four driveways; one – Whittaker Way, two – Robbins Road, and one – 172nd Avenue.
 - The Planning Commission finds this acceptable because the proposed access management plan is compliant, and supports, the Robbins Road Sub-Area Plan and Joint Robbins Road Corridor Plan. As well as, providing shared access to adjoining uses. Further, the proposed access management plan eliminates the continuous access along Robbins Road.
 - Further, the Planning Commission already approved the gas station as a special land use, finding that it significantly improved the prior access for the predecessor gas station.
 - B. Section 15A.06.7 – allow reduction in spacing standards for signalized non-trunkline street.
 - The Planning Commission finds this acceptable because the curb-cuts are existing, and without keeping those driveways certain areas of the Project site would be unbuildable because they would be too narrow.
 - C. Section 15A.10.5 – allow interior landscape islands to be 9-feet wide.
 - The Planning Commission finds this acceptable because it will maximize the parking on-site while still providing for visual and paving breaks.
 - D. Sections 15A.10.3 – allow certain areas of landscaping to be adjacent to building walls rather than abutting said walls.
 - The Planning Commission finds this acceptable because it will provide flexibility in placement of door openings, reduce the likelihood of trip hazards along the main walking path, allow pedestrians to circulate farther away from vehicular traffic, and make snow removal easier. The planting areas consist of ornamental trees and shrubs to soften the visual appearance of the buildings from public roads.
 - E. Section 24.04.2 – allow the main drive aisle to be 27-feet in width.
 - The Planning Commission finds this acceptable because this increased width is along the main entrance from Robbins Road, which will provide additional space for the high traffic corridor, and will allow more space for passing vehicles and/or delivery trucks.
 - F. Section 20.13.5.H – allow certain native tree species to be planted in “clumps,” which collectively exceed the 3” caliper requirement and/or at a minimum caliper size of 2½” measured 6” above grade.
 - The Planning Commission finds this acceptable because it is the Township’s preference to plant native species, and these trees either grow better in “clumps” or are only available in the smaller caliper size.
 4. Compared to what could have been constructed by right, the Project has been designed to accomplish the following objectives from Section 17.01.4 of the Zoning Ordinance:

- A. The Project will encourage the use of land in accordance with its natural character and adaptability;
 - B. The Project will promote innovation in land use planning and development;
 - C. The Project will promote the enhancement of commercial employment and traffic circulation for the residents of the Township;
 - D. The Project will promote greater compatibility of design and better use between neighboring properties; and
 - E. The Project will promote more economical and efficient use of the land while providing the integration of necessary commercial facilities.
5. The Project meets the following qualification requirements of Section 17.02 of the Zoning Ordinance:
- A. The Project meets the minimum size of five (5) acres of contiguous land.
 - B. The Project site has distinct physical characteristics and a prior development history which makes compliance with the strict requirements of the Zoning Ordinance impractical.
 - C. The PUD design substantially moves forward the Intent and Objectives of Section 17.01 of the Zoning Ordinance.
6. The Planning Commission also finds the Project complies with the general PUD Design Considerations of Section 17.05 of the Zoning Ordinance:
- A. The storm water management system for the Project and the drainage facilities will properly accommodate storm water on the site, will prevent run off to adjacent properties, and are consistent with the Township's groundwater protection strategies.
 - B. The Project will not interfere with or unduly burden the water supply facilities, the sewage collection and disposal systems, or other public services such as school facilities, park and recreation facilities, etc.
 - C. Utility services within the Project shall be underground. This includes but is not limited to electricity, gas lines, telephone, cable television, public water and sanitary sewer.
 - D. The internal road system in the Project is designed to limit destruction of existing natural vegetation and to decrease the possibility of erosion.
 - E. Vehicular circulation, traffic and parking areas have been planned and located to minimize effects on occupants and users of the Project and to minimize hazards to adjacent properties and roadways.
 - F. Parking requirements for each use have been determined to be in accordance with Chapter 24 (Parking, Loading Space, and Signs).
 - G. Street lighting will be installed in the same manner as required under the Township's Subdivision Control Ordinance.
 - H. Consideration was given to the bulk, placement, architecture, and type of materials to be compatible with like buildings within the PUD as well as generally compatible with buildings in the general vicinity.
 - I. Mechanical and service areas are visually screened from adjacent properties, public roadways, or other public areas.
 - J. Building walls greater than 50-feet in horizontal length, and walls which can be viewed from public streets, are constructed using a combination of architectural features, building materials, and landscaping near the walls.
 - K. On-site landscaping abuts, or is near the building walls, combined with architectural features significantly reduce the visual impact of the building mass as viewed from the street.
 - L. The predominant building materials have been found to be those characteristic of Grand Haven Charter Township such as brick, wood, native stone and tinted/textured concrete masonry units and/or glass products.

- M. Landscaping, natural features, open space and other site amenities have been located in the Project to be convenient for occupants of, and visitors to, the PUD.
 - N. The Project is reasonably compatible with the natural environment of the site and the adjacent premises.
 - O. The Project will not unduly interfere with the provision of adequate light or air, nor will it overcrowd land or cause an unreasonably severe concentration of population.
 - P. Exterior lighting within the Project complies with Chapter 20A for an LZ 3 zone.
 - Q. All outdoor storage, if any, is screened.
 - R. Signage conforms to Chapter 24, unless specific modifications are made by the Township Board, after recommendation from the Planning Commission.
 - S. The Project will not have a substantially detrimental effect upon or substantially impair the value of neighborhood property, as long as all of the standards and conditions of this approval of the Project are satisfied.
 - T. The Project is in compliance with all applicable Federal, State, County, and local laws and regulations. Any other permits for development that may be required by other agencies shall be available to the Township before construction is commenced.
 - U. The Project meets the access provision regulations, and creates shared access with other adjoining uses.
 - V. The Project is consistent with the goals and objectives of the Master Land Use Plan. Specifically, it is consistent with the Master Plan designation of the property in question.
7. The Planning Commission also finds the Project complies with the US-31 and M-45 Area Overlay Zone findings and statement of purpose found in Section 15A.01 of the Zoning Ordinance:
- A. Accommodates a variety of uses permitted by the underlying zoning, but ensure such uses are designed to achieve an attractive built and natural environment.
 - B. Provides architectural and site design standards that are more demanding than required elsewhere in the Township in order to promote harmonious development and complement the natural characteristics in the western sections of the Township.
 - C. Promotes public safety and efficient flow of vehicular traffic by minimizing conflicts from turning movements resulting from the proliferation of unnecessary curb cuts and driveways.
 - D. Ensures safe access by emergency vehicles.
 - E. Encourages efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.
 - F. Preserve the capacity along US-31/M-45 and other roads in the Overlay Zone by limiting and controlling the number and location of driveways, and requiring alternate means of access through shared driveways, service drives, and access via cross streets.
 - G. Reduces the number and severity of crashes by improving traffic operations and safety.
 - H. Requires coordinated access among adjacent lands where possible.
 - I. Provides landowners with reasonable access, although the access may be restricted to a shared driveway, service drive, or via a side street, or the number and location of access points may not be the arrangement most desired by the landowner or applicant.
 - J. Requires demonstration that prior to approval of any land divisions, the resultant parcels is accessible through compliance with the access standards herein.
 - K. Preserves woodlands, view sheds, and other natural features along the corridor.

- L. Ensures that distractions to motorists are minimized by avoiding blight and clutter while providing property owners and businesses with appropriate design flexibility and visibility.
 - M. Implements the goals expressed in the US-31/M-45 Corridor Study.
 - N. Establishes uniform standards to ensure fair and equal application.
 - O. Addresses situations where existing development within the Overlay Zone does not conform to the standards of this chapter.
 - P. Promotes a more coordinated development review process with the Michigan Department of Transportation and the Ottawa County Road Commission.
8. The Planning Commission also finds the Project shall comply with the below additional conditions as well.
- A. All transformers or other ground equipment shall be screened with live conifer landscape material that is a minimum 24” in height at time of planting, or taller if necessary to fully screen the object.
 - B. The proposed wall pack lighting on Building S, and all future buildings, shall be sharp cut off and downcast. Plans shall be revised accordingly.
 - C. The Developer shall be a signatory on the requested 425 Agreement.
 - D. The necessary descriptions and sketches shall be provided for the 425 Agreement.
 - E. The Developers shall enter into a PUD Contract with the Township. The Contract shall be reviewed and approved by the Township Board prior to the issuance of building permits.
 - F. Approval and compliance with all requirements set forth by the OCRC, OCWRC, and City of Grand Haven, etc. No building permits shall be issued until all permits have been obtained.
 - G. A shared access and maintenance agreement for the connection to Whittaker Way shall be drafted by the Developer, and then reviewed, and approved by Township Attorney Bultje. The Developers shall submit a copy of the document recorded at the Ottawa County Register of Deeds. No certificates of occupancy shall be issued until the condition is met.
 - H. An easement, or shared access and maintenance agreement for the connection to the western retail property at 948 Robbins Road shall be drafted by the Developer, and then reviewed, and approved by Township Attorney Bultje. The Developers shall submit a copy of the document recorded at the Ottawa County Register of Deeds. No certificates of occupancy shall be issued until the condition is met.
 - I. A sidewalk easement shall be drafted by the Developer, and then reviewed, and approved by the Township and City Attorney’s. The Developers shall submit a copy of the document recorded at the Register of Deeds. No certificates of occupancy shall be issued until the condition is met.
 - J. The “pork chop” curb shall be installed within the main entrance on Robbins Road to prevent inbound left-turns.
9. The Planning Commission finds the Project complies with the uses permitted for a commercial planned unit development, as described in Section 17.08.2.A of the Zoning Ordinance—Retail Businesses where no treatment or manufacturing is required.
10. The Planning Commission finds the Project shall receive the following considerations to improve the approval process currently required for multi-phased commercial developments:
- A. The overall project, design, and concept are approved; and future phases are only subject to Site Plan Review with the Planning Commission. This would be applicable, so long as they occur within 1-year of each other. For example, to be eligible for the Site Plan Review route, the next phase would need to be presented prior to April 1, 2019. If the following phase was presented on 9/1/2019, the phase after that would have to be presented prior to 9/1/2020.
 - B. Basic site plan conversions to Options A-2, B-1, and B-2 subject to being approved administratively by the Zoning Administrator. If this occurs, notification of said conversion will be provided to the Planning Commission and Township Board.

IX. NEW BUSINESS

A. PUD – Mixed Use – Apartments at Robbins Road & Self Storage

Fedewa provided an overview through a memorandum dated February 16th.

Developers Chad Bush, Ben Robbins, and Terry Nash; along with engineer Brian Sinnott and architect Mark Oppenhuizen were present and available to answer questions.

Fedewa noted that staff and developers are at an impasse based on the content of an email received February 16th, which was included in the staff memo. It is apparent the original representations of the PUD are no longer to be included to the extent anticipated by the Township, which impacts the scope of the project and how it is reviewed by staff

A summary of the development teams position includes:

- Numerous items being requested were not discussed previously.
- Only intend to provide market-rate rent that leans toward affordable. Have not requested government subsidies or tax breaks, so does not intend to offer subsidized low-income rates.
- Refuses to demolish or sell existing storage units on 172nd Avenue.
- Unwilling to provide additional building materials to the apartments such as stone because it will increase their construction costs, and believe current design suffices.
- Believe a \$20 million investment into the project is the benefit, and departures should be granted.
- Intend to make some of the revisions identified by staff in their February 16th plan review memo.
- Rear 5-acres of project site is zoned industrial, and storage units could be constructed in that location without PUD approval.

A summary of staff, the attorney, and Planning Commissions position include:

- Contested items have been mentioned beforehand, but were not a point of focus.
- A rental rate of \$650-850 was identified in August 2017, during the pre-application meeting; but new pricing is \$800-1,100 which is no longer affordable based on information received from the Neighborhood Housing Services program.
- Shared access points are mandated by the zoning ordinance, joint corridor plan, and fire/rescue for emergency purposes.
- It is unusual to request a mixed-use PUD that includes residential and industrial storage. Without a direct benefit, such as demolishing or selling the nonconforming storage units on 172nd Avenue, the Township cannot authorize a departure to allow such an unusual combination of uses.

- Similarly, no departures can be granted unless there is a benefit being provided in exchange.
- Uncomfortable with the amount of density being proposed without a second point of access.
- If storage units are not approved, tenants can rent garage space for storage.
- Directed development team to consider all feedback provided from staff, the joint planning commission meeting, and the current discussion, and to revise plans accordingly.

X. REPORTS

- A. Attorney Report – None
- B. Staff Report

➤ The Zoning Ordinance Update Committee will meet March 22nd @ 6pm

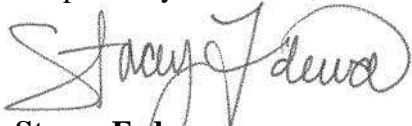
- C. Other – None

XI. EXTENDED PUBLIC COMMENTS – None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 8:44 pm.

Respectfully submitted,



Stacey Fedewa
Acting Recording Secretary