

AGENDA

Grand Haven Charter Township Planning Commission
Monday, August 20, 2018 – 7:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Pledge to the Flag
- IV. Approval of the July 16, 2018 Meeting Minutes
- V. Correspondence
 - A. Spring Lake Township – Amended Master Plan
- VI. Brief Public Comments & Questions (Limited to 3 minutes)
- VII. Public Hearing
 - A. Rezoning – Glueck – AG to RR
 - B. PUD Amendment – Grand Haven Professional Center – Medical Office Building
- VIII. Old Business
 - A. Rezoning – Glueck – AG to RR
 - B. PUD Amendment – Grand Haven Professional Center – Medical Office Building
- IX. New Business
 - A. Regency at Grand Haven PUD – Request for Extension
- X. Reports
 - A. Attorney’s Report
 - B. Staff Report
 - C. Other
- XI. Extended Public Comments & Questions (Limited to 4 minutes)
- XII. Planning Commission Open Discussion Forum – Limited to 30 Minutes
- XIII. Adjournment

Note: Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a “Speakers Form” located on the counter. Completed forms must be submitted to the Zoning Administrator prior to the meeting.

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
JULY 16, 2018

I. CALL TO ORDER

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

II. ROLL CALL

Members present: Cousins, LaMourie, Taylor, Chalifoux, Wagenmaker, Kieft, Reenders, Wilson, and Hesselsweet

Members absent: None

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

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the June 18, 2018 meeting were approved.

V. CORRESPONDENCE

VI. PUBLIC COMMENTS – None

VII. OLD BUSINESS

A. PUD – Lakeshore Gardens – Multifamily Apartment Complex

Fedewa provided an overview of the report in a memorandum dated July 12th.

Barbara Marczak, an engineer from Prein&Newhof provided a summary of her findings after reviewing the environmental studies produced by the applicant:

- A Phase 1 Environmental Study Assessment (ESA) is essentially a paperwork review on the history of the property, no testing is conducted. The major finding was the Above-ground Storage Tanks (AST).
- The Phase 2 ESA conducted testing, but it was limited to the AST area where some contamination was found.
- Based on Township feedback that indicated the site was not connected to sanitary sewer, the applicant conducted additional testing and provided a Floor Drain & Holding Tank report.
 - The discharge point of the floor drains was determined to be the storm water drain that discharges offsite.

- The holding tank can, and will, be crushed onsite per the Ottawa County Environmental Health Department.
- Due Care Plan is sufficient, but does include various legal statements that the applicant did not cause the contamination and therefore is not responsible for remediation. Rather, are only responsible for protecting the public health and from exacerbating or making the contamination spread or become worse, and prevent the ‘reasonably foreseeable acts of third parties.’

The application, and environmental findings, were discussed by the Commissioners:

- Inquired if a magnetometer was used to find the holding tank.
 - Per Roger Bour, the applicant’s environmental engineer, no—a magnetometer was not used because the tank is concrete.
- Requested Marczak provided a review of her nine recommendations. Specifics explanations include:
 - No assessment of potential salt in the groundwater was performed, but salt does dissipate quickly.
 - No private water wells should be allowed, to prevent the groundwater from being used for irrigation or drinking.
 - Will be important to review the dewatering hydrogeological assessment that will become available after earthwork and dewatering begins for utility installation. This assessment, along with the groundwater monitoring wells, will determine if the contamination has entered the groundwater and how far it has migrated.
 - If these additional tests find additional contamination that is spreading then the Township will likely want to require the vapor-barrier.
- Bour was invited to respond to Marczak’s findings:
 - Will review the salt pile after it is removed, and the concrete pad is removed. However, does not believe contamination will be an issue since the salt has been covered by a barn, and if any salt has leached into the groundwater it does dissipate quickly. A comparison was provided that salt used for roads and sidewalks during winter has about the same potential for contamination.
 - Regarding the potential condition of approval that would require a petroleum-resistant vapor barrier on all buildings—the results of the volatilization to indoor air assessment has already been completed. No exposure pathway. Distance between the known contamination and the apartment buildings exceeds the distance requirements established by the DEQ.
 - Thus, the DEQ would not require any petroleum-resistant vapor barriers.
 - Additional testing for volatilization to indoor air will only be conducted if the dewatering hydrogeological assessment reveals the contamination plume has migrated, which is not expected.

- Marczak affirmed Bour’s findings and acknowledged that her review of the environmental studies took a conservative approach.
- Rather than using a vapor barrier for each building, which is costly; should a soil boring be taken under each building?
 - Bour explained he is confident in the horizontal extent of the known contamination—estimated to be approximately 25 yd³ x 25 yd³. DEQ & EPA only require a 6-foot isolation distance and the nearest apartment building is over 80-feet. If a problem was found in the future it can be addressed specific to the findings.
- Matthew D. Zimmerman, the applicants environmental law attorney indicated staff overstated the findings and breadth of the Township’s legal authority in the July 12th memorandum.
- Inquiry was made about the petroleum testing and why the rest of the site was not included in the ESA’s. Bour explained the following:
 - Typically, petroleum floats, but on rare occasions these compounds can sink quite deeply underground. Sinking usually only occurs with odd soil types. Additional testing will be completed as stated in the Due Care Plan. If any additional contaminants were found, it would not impact the volatilization to indoor air/vapor-barrier concerns.
 - Initial testing did not reveal any diesel fuel, and when that occurs the industry standard is to cease testing for that compound. This method also complies with DEQ standards.
 - Reviewed historical use of the property during the Phase 1 ESA. The scope of the Phase 2 ESA is based on the experience and professional judgment of the environmentalist; and did not find any justification to expand the scope of Phase 2.
 - Could perform random sampling, or grid pattern sampling, but both are expensive and rarely find any contaminants.

Motion by Wilson, supported by Reenders, to recommend the Township Board **conditionally approve** the proposed multi-family residential Lakeshore Gardens PUD application to construct 6 apartment buildings, with a total of 156-units ranging from 496-sqft to 1,070-sqft in floor area. This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance and Master Plan. The motion is subject to, and incorporates, the following report concerning the Planned Unit Development, including conditions of approval. **Which motion carried unanimously.**

REPORT – LAKESHORE GARDENS APARTMENTS – PUD

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following is the report of the Grand Haven Charter Township Planning Commission (the “Planning Commission”) concerning an application by Chad Bush (the “Developer”) for approval of a Lakeshore Gardens Planned Unit Development (the “Project” or the “PUD”).

The Project will consist of a multi-family apartment complex. This 11.47-acre Project will consist of six three-story buildings, four buildings will contain 24-units, the remaining two will each contain 30-units. The floor areas of the 156-units range from 496-sqft to 1,070-sqft. It also includes 94-enclosed garage spaces, 224-surface parking spaces. It will also include 2.5-acres of designated open space. The Project as recommended for approval is shown on a final site plan (the “Final Site Plan”), last revised 6/8/2018, including landscaping (the “Final Landscape Plan”) and elevation renderings (the “Final Elevations”), last revised 5/15/18; 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 recommendation, and the Planning Commission’s decision that the Lakeshore Gardens PUD be approved as outlined in this motion. The Developer shall comply with all the Documentation submitted to the Township for this Project. In granting 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 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. 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.
 - B. 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.
 - C. 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.
 - D. 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.
 - E. 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.
 - F. 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.
 - G. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the Fire/Rescue Department.
 - H. All streets and driveways are developed in accordance with the OCRC specifications, as appropriate. In addition, an internal sidewalk system has been included and an external sidewalk within the Robbins Road right-of-way.

- I. 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.
 - J. 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 to reduce light pollution and preserve the rural character of the Township.
 - K. 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.
 - L. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
 - M. The Documentation conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
 - N. As appropriate, fencing will be installed around the boundaries of the development if deemed necessary to preventing trespassing or other adverse effects on adjacent lands.
 - O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.
2. The Planning Commission finds 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 has been 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 have been 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 Developer requested two departures. The Planning Commission makes the following findings.
 - A. Section 24.04.1 – allow a 35-foot maneuvering lane in front of the garage buildings.
 - The Planning Commission finds it acceptable to allow the increased width to enable easier, and safer, turning movements within the site. Particularly for the barrier-free spaces that can accommodate a wheelchair accessible van. Developer is only required to provide 8 barrier-free spaces + 1 van-accessible barrier-free space. In this case, the Developer is providing 22 barrier-free spaces, or 144% more than required.
 - B. Section 21.02 – allow a reduced minimum floor area for 51-units; 12-units at 496-sqft and 39-units at 730 sqft.
 - The Planning Commission finds it acceptable to allow the reduced floor area because it will enable the Developer to provide some affordable housing to the community. In addition, the Developer provided compelling comparisons of other apartment sizes. The Executive Director of Housing Next supports the reduced floor area as well.
 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 the conservation of natural features and resources;

- C. The Project will promote innovation in land use planning and development;
 - D. The Project will promote the enhancement of housing for the residents of the Township;
 - E. The Project will promote greater compatibility of design and better use between neighboring properties;
 - F. The Project will promote more economical and efficient use of the land while providing a harmonious variety of housing choices and community facilities in the form of a clubhouse; and
 - G. The Project will promote the preservation of open space.
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 acres of contiguous land.
 - B. The Project site has distinct physical characteristics which makes compliances with the strict requirements of the ordinance impractical.
 - C. The PUD design includes innovative development concepts that substantially forward the Intent and Objectives of Section 17.01, and permits an improved layout of land uses and other site features that could not otherwise be achieved under normal zoning.
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 stormwater management system for the Project and the drainage facilities will properly accommodate stormwater on the site, will prevent runoff 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. Buildings in the Project have been sited to protect natural resources. Natural features such as natural grade, trees, vegetation, water bodies and others have been incorporated into the Documentation.
 - I. 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.
 - J. The Project is reasonably compatible with the natural environment of the site and the adjacent premises.

- K. 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.
 - L. Exterior lighting within the Project complies with Chapter 20A for an LZ 3 zone.
 - M. Outside storage of materials shall be screened from view.
 - N. Signage is compliant with Section 24.13 of the Zoning Ordinance.
 - O. 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.
 - P. 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 Board before construction is commenced.
 - Q. The Project satisfies the minimum open space of 20 percent required by the Zoning Ordinance.
 - R. The open space in the Project is large enough and properly dimensioned to contribute to the purpose and objectives of the PUD.
 - S. The open space in the Project consists of contiguous land area which is restricted to non-development uses.
 - T. The open space in the Project will remain under common ownership or control.
 - U. The open space in the Project is set aside by means of conveyance that satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance.
 - 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 finds that the Project complies with the uses permitted for a residential planned unit development, as described in Section 17.07.1.C of the Zoning Ordinance—Multiple Family Dwellings.
8. The Planning Commission also finds the Project shall comply with the below additional conditions as well.
- A. Must obtain permits from all applicable agencies including, the Ottawa County Water Resources Commissioner and City of Grand Haven. Permits shall be obtained before building permits are issued.
 - B. The Developer shall enter into a PUD Contract with the Township, which will be drafted by the Township Attorney and executed by the Township Board prior to receiving an occupancy permit.
 - C. Extend the width of the main drive aisle to 30-feet farther south to the curve adjacent to the SW corner of the clubhouse.
 - D. Open Space Conveyance shall be recorded with the Ottawa County Register of Deeds and a copy provided to the Township.
 - E. The following conditions are imposed as a result of the Environmental Site Assessments and Due Care Plan:
 - i. Because utilities are proposed near a known area of impact, require a detailed plan for watermain and sanitary sewer construction including “petroleum resistant” gasket material.

- ii. An assessment of salt spillage in soil and groundwater on utility construction. Salt can be corrosive to metal pipe.
- iii. Prohibition on water wells (*except monitoring wells*) either through PUD approval or a restrictive covenant.
- iv. Provide results of dewatering hydrogeological assessment.
 - v. Provide results of groundwater monitoring.
- vi. Provide results of volatilization to indoor air assessment and whether engineering controls are needed based on groundwater monitoring.
- vii. Provide location of remaining impacted soils or groundwater on final plan in form that can be permanently referenced in the future.
- viii. Provide confirmation of holding tank removal or closure in place.
- ix. Provide copy of final Due Care Plan at conclusion of construction. This is important for Township utility workers in case they must make a repair to utilities in the future, both for health and safety of workers during the repair and the need for addressing groundwater and/or soil contamination during dewatering and excavation.
- x. Install a petroleum-resistant vapor barrier, or other alternative remedies on all buildings that comply with DEQ standards, if results of additional testing warrant the need. All results shall be shared with, and reviewed by, the Township's Engineering Firm Prein&Newhof.

VIII. NEW BUSINESS

A. Trial-Run for Open Discussion Format

Fedewa provided an overview of the report in a memorandum dated July 12th.

Motion by Wilson, supported by LaMourie, to begin the Open Discussion trial at the next meeting, will subsequently be placed on every other meeting agenda, will be limited to a total of 30-minutes, will be information only and not for action at that meeting, will be the last item on the agenda before adjournment, and the trial shall cease at the end of 2018. **Which motion carried unanimously.**

IX. REPORTS

A. Attorney Report – None

B. Staff Report

- Next regularly scheduled Planning Commission meeting is August 20th.
- Zoning Ordinance Update Committee has directed staff to fine-tune the current draft of the new zoning ordinance. When staff is satisfied, the draft will be forwarded to the Planning Commission for review.

C. Other

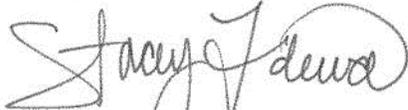
- Planning Commission, Township Attorney, and staff all expressed their happiness that Hesselsweet is recovering well and able to attend meetings again.

X. EXTENDED PUBLIC COMMENTS – None

XI. ADJOURNMENT

Without objection, the meeting adjourned at 8:10 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stacey Fedewa". The signature is written in black ink and is positioned above the printed name.

Stacey Fedewa, AICP
Acting Recording Secretary

**NOTICE OF PUBLIC HEARING
ON MASTER PLAN AMENDMENT
SPRING LAKE TOWNSHIP, OTTAWA COUNTY, MICHIGAN**

NOTICE IS GIVEN THAT:

1. The Planning Commission of the Township of Spring Lake, Ottawa County, Michigan, will hold a public hearing at the Barber Community School, 102 W. Exchange, Spring Lake, Michigan 49456, on the 15th day of August 2018, at 7:00 p.m., local time, to consider and review the proposed amended Master Plan for Spring Lake Township.

2. A copy of the Master Plan amendment is on file at the Spring Lake Township Offices, 101 South Buchanan, Spring Lake, Michigan 49456 (telephone: 616-842-1340), and may be examined by any person on any day of the week except Saturdays, Sundays and holidays, between the hours of 8:00 a.m. and 12:00 noon and 1:00 p.m. and 5:00 p.m. The Master Plan amendment may also be viewed on the Township Building and Planning website here: <http://www.springlaketwp.org/departments/building-planning-department/>.

3. The Township will provide necessary and reasonable auxiliary aids and services at this hearing, such as signers for hearing impaired persons and audio tapes of printed materials for visually-impaired persons, upon receipt of five days' prior notice. Disabled persons requiring such auxiliary aids or services should so notify the Township by contacting the Township Clerk at the Spring Lake Township Offices, 101 South Buchanan, Spring Lake, Michigan 49456 (telephone: 616-842-1340)

Dated: July 24, 2018

Lukas Hill, Community Development Director
Spring Lake Township



Community Development Memo

DATE: August 16, 2018

TO: Planning Commission

FROM: Cassandra Hoisington, Assistant Zoning Administrator
Stacey Fedewa, AICP – Community Development Director

RE: Glueck – Rezoning Application (AG to RR) – 6 Acres Only

BACKGROUND

The applicant, Marilyn Glueck, wants to divide her 40-acre parcel, 15901 Ferris Street (70-07-11-100-003), to create a 6-acre parcel which she requests to rezone from Agricultural (AG) to Rural Residential (RR). The remaining 34-acres would stay Agricultural.

The new parcel would be sold to a long-time friend of the family, and used for a single family residence. The rezoning application was tested against the “Three C’s” evaluation method.

COMPATIBILITY

*Is the proposed rezoning **compatible** with the existing developments or zoning in the surrounding area?*

The zoning for parcels that border the applicant’s parcel is:

Direction	Current Zoning	Existing Use
North	AG	Township Park
South	AG	Commercial
East	AG	Township Park
West	RR	Single Family

The 2016 Future Land Use Map has master-planned the subject parcel for Low Density Residential (LDR), the applicant is requesting a rezoning to RR.



CONSISTENCY

Is the proposed rezoning **consistent** with the goals and objectives of the Master Plan and does it coincide with the Future Land Use Map in terms of an appropriate use of the land?

The Statement of Purpose for the RR district:

- The Rural Residential Districts are designed to be those semi-open areas of the Township where the conduct of agriculture and other rural-type activities may coexist with large-tract residential housing and residentially related facilities with the realization that adequate open and semi-open areas are essential to the health and welfare of the Township



CAPABILITY

Does the proposed rezoning require an extension of public sewer and water, roadway improvements, or enhanced fire and police protection, and if so, is it in an area **capable** of being provided with such services?

Parcels within the RR district should be supported by certain infrastructure features, including paved roads, and if available natural gas and municipal water. The new parcel would be accessed via a public gravel road and utilize private utilities.

SAMPLE MOTIONS

If the Planning Commission finds the rezoning application meets the applicable standards, the following motion can be offered:

Motion to recommend the Township Board **approve** the Glueck rezoning application of parcel 70-07-11-100-003 from Agricultural (AG) to Rural Residential (RR) based on the application meeting applicable rezoning requirements and standards of the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Future Land Use Map. This would result in 6-acres of the property being rezoned from Agricultural (AG) to Rural Residential (RR), the remaining 34-acres would continue to be zoned Agricultural.

If the Planning Commission finds the rezoning application does not meet the applicable standards, the following motion can be offered:

Motion to recommend the Township Board **deny** the Glueck rezoning application of parcel 70-07-11-100-003 from Agricultural (AG) to Rural Residential (RR) because the application does not meet the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Future Land Use Map.

If the Planning Commission finds the rezoning application is premature or needs revisions, the following motion can be offered:

Motion to **table** of the Glueck rezoning application, and direct the applicant to address the following items:

1. *List the items...*

Please contact me prior to the meeting if you have questions.



GRAND HAVEN CHARTER TOWNSHIP

REZONING APPLICATION

Application Type	Fee	Escrow*
Rezoning	\$150	\$500

Applicant Information

Name MARILYN G. GLUECK
 Phone 616-842-9398 Fax _____
 Address 15901 FERRIS ST. GRAND HAVEN MI 49417
 Email Address _____

Owner Information (If different from applicant)

Name _____
 Phone _____ Fax _____
 Address _____

Property Information

Address/Location 15901 FERRIS ST. G.H. MI 49417
 Parcel Number 70-07-11-100-003 Size (acres) 40 A. - only rezoning 6 acres
 Current Zoning AG Zoning Requested RR
 Adjacent Zoning North: AG South: AG East: AG West: RR
 Master-Planned Zoning RR Consistent with Master Plan? yes

Other Information

Does Property Abut Township Border? No abuts Twp. Property - N - E sides
 Present Use of the Subject Property? CHRISTMAS TREES
 Number & Type of Existing Structures? NONE on 6 A to be rezoned *main Parcel*
 Subject Property Located on a Paved Road? ~~NO~~ YES - sm. parcel from split *1 house*
 Municipal Water within 2,700 Feet of Subject Property? No *on gravel rd.*
 Municipal Sewer within 2,700 Feet of Subject Property? No *3 pole barn*

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following requirements for zoning amendments and procedures as stated in Section 27.08. Please submit fourteen (14) copies of the required information with the application.

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

Marilyn G. Glueck
 Signature of applicant

7-16-18
 Date

* To cover cost of legal and consulting fees, may be increased as necessary

NOTICE

IF I PLAN TO SPLIT THE PARCEL(S) AFTER THE ZONING APPROVALS ARE GRANTED, I REALIZE THAT I MUST APPLY FOR A LAND DIVISION WITH THE ASSESSING DEPARTMENT. ALL LAND DIVISION REQUIREMENTS MUST BE CONFORMED TO BEFORE PROCEEDING WITH FURTHER DEVELOPMENT.

Marilyn G. Gluck
Signature of applicant

7-16-18
Date

For Office Use Only

Date Received _____

Fee Paid? _____

Materials Received: Site Plans _____

Location Map _____

Survey _____

Legal Description _____

Dated copy of approved minutes sent to applicant? _____

Date Sent _____

PLANNING COMMISSION USE ONLY

Approval _____

Tabled _____

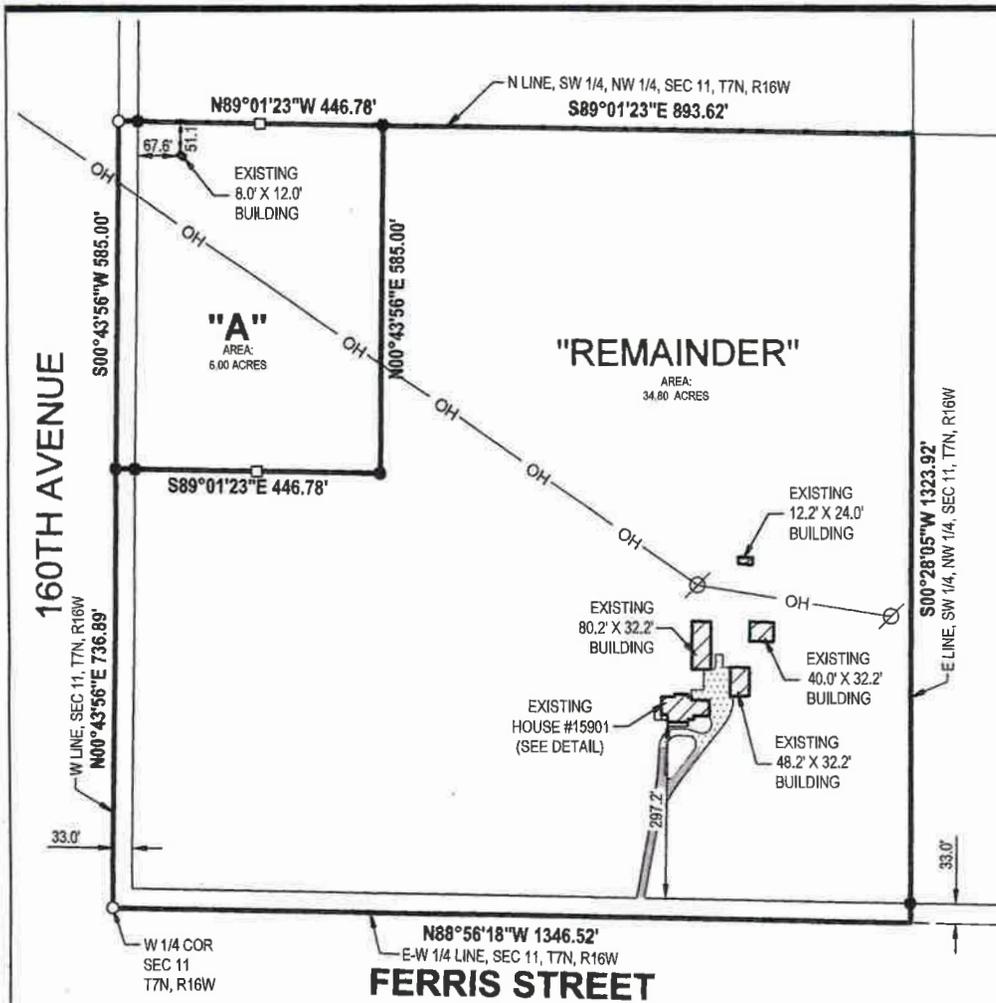
Denied _____

Conditional Approval _____

The following conditions shall be met for approval:

Signature of Planning Commission Chair

Date



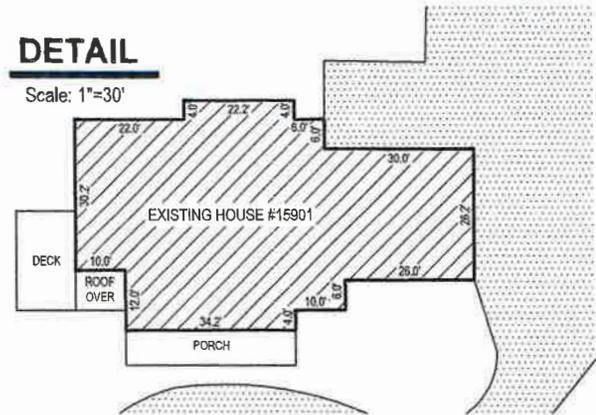
PARTIAL DESCRIPTION

Part of Northwest 1/4 of Section 11, Town 7 North, Range 16 West, Grand Haven Township, Ottawa County, Michigan.

(See sheet 2 of 2 for complete description.)

DETAIL

Scale: 1"=30'



LEGEND

- Iron - Set
- Iron - Found
- Set Wood Stake
- ⊙ Utility Pole
- OH — Overhead Utility
- X — X — Fence
- ▭ Asphalt
- ▨ Concrete
- ▩ Building

By: *Scott A. Hendges*
 Scott A. Hendges Licensed Professional Surveyor No. 47953

SCALE: 1" = 250' 0' 125' 250'



Drew Marod
 15901 Ferris Street
 Grand Haven, MI 49417

15901 Ferris Street

DRAWN BY: CWS
 REV. BY:
 REV.:

DATE: 07-02-2018
 REV. DATE:

PRJ #: 18201052

1 OF 2



We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

DESCRIPTION

PARCEL "A" DESCRIPTION: Part of Northwest 1/4 of Section 11, Town 7 North, Range 16 West, Grand Haven Township, Ottawa County, Michigan described as: Commencing at the West 1/4 corner of said Section; thence N00°43'56"E 736.89 feet along the West line of said Section to the Point of Beginning; thence S89°01'23"E 446.78 feet parallel with the North line of Southwest 1/4 of the Northwest 1/4 of said Section; thence N00°43'56"E 585.00 feet; thence N89°01'23"W 446.78 feet along said North line; thence S00°43'56"W 585.00 feet along said West line to the Point of Beginning. Contains 6.00 acres. Subject to easements, restrictions, and right-of-way of record. Also, subject to highway right-of-way for 160th Avenue over the Westerly 33.0 feet thereof.

"REMAINDER" DESCRIPTION: Part of Northwest 1/4 of Section 11, Town 7 North, Range 16 West, Grand Haven Township, Ottawa County, Michigan described as: Beginning at the West 1/4 corner of said Section; thence N00°43'56"E 736.89 feet along the West line of said Section; thence S89°01'23"E 446.78 feet parallel with the North line of Southwest 1/4 of the Northwest 1/4 of said Section; thence N00°43'56"E 585.00 feet; thence S89°01'23"E 893.62 feet along said North line; thence S00°28'05"W 1323.92 feet along the East line of the Southwest 1/4 of the Northwest 1/4 of said Section; thence N38°56'18"W 1346.52 feet along the East-West 1/4 line of said Section to the Point of Beginning. Contains 34.80 acres. Subject to easements, restrictions, and right-of-way of record. Also, subject to highway right-of-way for 160th Avenue over the Westerly most 33.0 feet thereof. Also, subject to highway right-of-way for Ferris Street over the Southerly 33.0 feet thereof.

NOTE: Parcel descriptions created hereon were based on parent parcel description contained in Warranty Deed recorded as Document No. 2017-0031549, dated August, 28, 2017, Ottawa County Records.

We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

By: *Scott A. Hendges*

Scott A. Hendges Licensed Professional Surveyor No. 47953

SCALE: 1" = 250' 0' 125' 250' NORTH

Drew Marod
15901 Ferris Street
Grand Haven, MI 49417

15901 Ferris Street

DRAWN BY: CWS DATE: 07-02-2018 PRJ #: 18201052
REV. BY: REV. DATE 2 OF 2
REV.:

NEDERVELD
www.nederveld.com • 800.222.1866
Holland
347 Hoover Blvd.
Holland, MI 49423





GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: August 15, 2018

TO: Planning Commission

FROM: Stacey Fedewa, AICP – Community Development Director

RE: Grand Haven Professional Center – Medical Office – PUD Amendment

BACKGROUND

The Timberview Apartments PUD included two commercial outlots on 172nd Avenue. Those outlots have already been zoned into the Commercial PUD district, and for that reason only requires a PUD Amendment.

The Grand Haven Professional Center is proposing a medical office building on the south outlet.

PROPOSAL

The application is proposing to construct a **two-suite medical office building on the 1.69-acre lot**. The west suite would be occupied by Grand Haven Smiles, a subsidiary of Dykstra Dental, and would ultimately be owned Dr. Dykstra, DDS. The second suite would be advertised for lease.

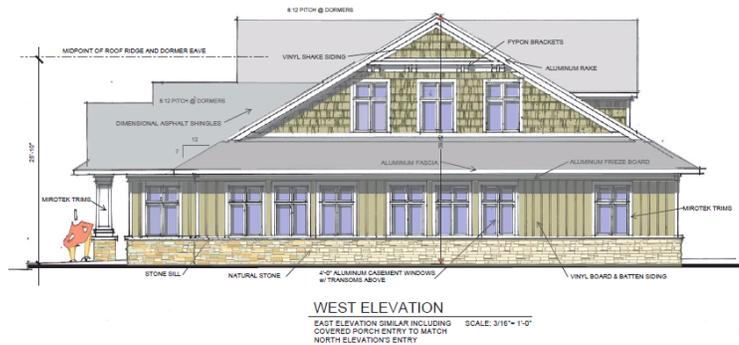
The building footprint would be 9,662 sqft and would also include a second story that would add another 5,245 sqft bringing the **total building size to 14,907 sqft**. The size dedicated to each suite is 7,938 sqft for Dr. Dykstra, DDS and 6,969 sqft for the leased suite.



Elevations of Building

Below are two illustrations of the north and west sides of the building. From staff's perspective the building is very compatible with the Timberview development. However, the applicant did not provide elevations for the south and east walls, despite the staff review memo indicating it was required. They are currently working to obtain those elevations prior to the hearing, and expect to have them completed by Friday, August 17th. If/when received, staff will forward electronically and provide hard copies at the meeting.

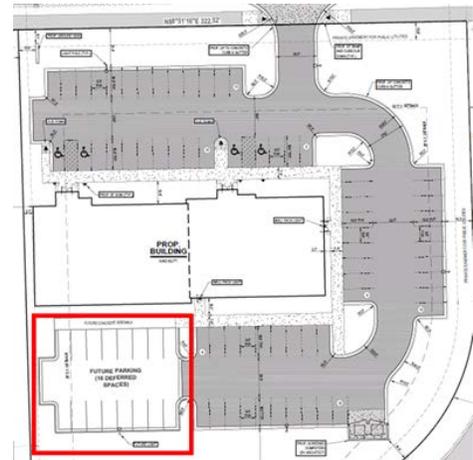
If the applicant is unable to produce a full set of elevations the Planning Commission will need to determine if the materials as-presented are sufficient to make a recommendation to the Board, or if the application needs to be tabled until they are made available for review.



Parking

For a dental office the Zoning Ordinance requires one parking space per 100 sqft of Gross Floor Area (GFA). A 14,907 sqft building would require 149 spaces. The applicant believes this number is excessive and is **proposing to construct 66 spaces and defer an additional 16 spaces, which brings the total number of spaces to 82.** A departure is being requested, and the information will be provided later in this memo.

OCRC & OCWRC



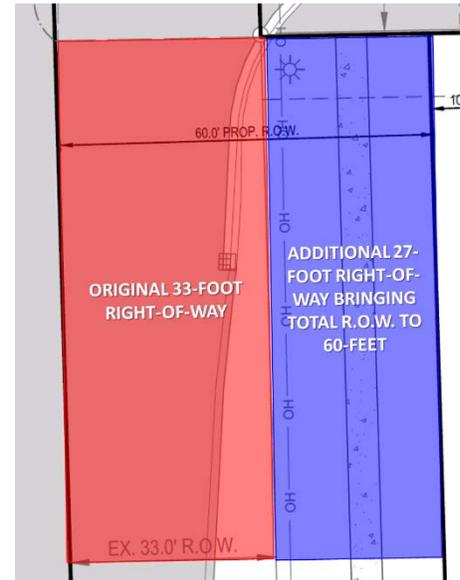
The Ottawa County Road Commission has approved the location of the proposed entrance.

The Ottawa County Water Resources Commissioner has confirmed the outlots each have a storm sewer lateral stubbed to the property, which means the outlots were included in the original drainage calculations. That said, since that time stormwater regulations have shifted toward the need to infiltrate onsite as much as possible. The **applicant has volunteered to provide a more resilient-friendly stormwater plan and is proposing to use leach basins and perforated pipe to promote infiltration into the soil** prior to disposing of excess storm water into the sewer.

Additional Right-of-Way (ROW)

An interesting piece of information was discovered in the early concept drawings for this development. The Commission needs to be aware of this discovery because it is directly related to a few of the departure requests.

At the time Timberview was approved the OCRC required additional right-of-way to be provided—an additional 27-feet to be exact. It is now a **60-foot right-of-way from the centerline of 172nd Avenue.**



DEPARTURE REQUESTS

The developer is requesting six departures:

Section	Requirement	Developer Request	Staff Notes
21.01.8	25-foot side yard setback for corner lots.	The proposed building is approximately 5-6' from the west proposed ROW; it is over 32' from the existing ROW. Due to the building size and required parking counts, the setback from the new ROW is not practical or desirable for site design. We are requesting a reduced setback as a result of the required wider ROW.	<ul style="list-style-type: none"> Property has 3 road frontages—172nd Ave. and Dune View Dr. are the side yards, and Timberview Dr. is the front yard. There is a 60-foot ROW from the centerline of 172nd Avenue.
21.01.8	25-foot side yard setback for corner lots.	The dumpster enclosure encroaches the side yard setback. The dumpsters are placed in the ideal location of the site, away from the busier streets and on the rear of the building. We are requesting a reduced setback to accommodate the enclosure. Doing so, we intend to screen the enclosure with evergreen trees.	<ul style="list-style-type: none"> Staff concurs the proposed dumpster location is well suited for the site. The enclosure will still be setback from road edge over 14-feet, and only includes a portion of the dumpster enclosure, the remainder is within the 25-foot setback.
24.02.2	Prohibits parking spaces within required side yards.	The parking spaces on the east side encroach the side yard setback by 9'. We are requesting a reduced setback to accommodate the required parking. There is still sufficient planting area for proposed screening and buffer.	<ul style="list-style-type: none"> In 2017, the ZBA granted a variance to allow parking in required side yards. A primary finding was based on a survey of existing businesses and most have parking within the required side yard.

24.03	Dental office must provide 1 parking space for every 100 sqft of GFA	The proposed building includes 9,662 square feet on the first floor and 5,245 on the second floor for a gross floor area of 14,907 square feet. The Zoning Ordinance states a dental/medical office requires 1 space per 100 GFA, thus the project requires 149 parking spaces. We are proposing 66 spaces with 16 deferred for a total of 82 spaces. We are requesting a departure on the required number of spaces.	<ul style="list-style-type: none"> • Logistically, it is not possible to provide 149 spaces on the property. The building size would have to be reduced and no green space would be available. • 149 spaces + maneuvering lanes would consume 55% of the property. • Based on the applicants experience only 66 spaces are truly necessary for daily operations, but deferred 16 additional spaces in case they are needed in the future.
24.13	Commercial signs must be setback 15-feet from lot lines.	The proposed ground sign is located at the northwest corner of the site, which is the ideal location for visibility from 172nd Ave. and Timberview Drive. Due to site constraints, the sign is located 8' from the north property line and 10' from the new ROW, which means that it is encroaching the required 15' from property lines. We are requesting a reduced setback in order to locate the sign in this area.	<ul style="list-style-type: none"> • The extra ROW factors into one of the lot line setbacks, but not the other. • Staff is proposing either a 5-foot or 10-foot standard setback for signage in the new zoning ordinance. • If Commission considers approving this departure, please consider requiring the setback from the north lot line to be 10-feet instead of 8.1-feet as currently proposed.
24.12.12.A	Size of a digital display within a ground sign is limited to 25% of the sign area, and cannot exceed 12 sqft.	The proposed ground sign has a digital message board 15 sq. ft., which is 37.5% of the overall 40 sq. ft. sign. The allowed size for a digital message board is 12 sq. ft. and 25% of overall size of sign. We are requesting a departure from the allowable size.	<ul style="list-style-type: none"> • Staff does not see the benefit being provided to the Township in exchange for the larger digital display. • However, the current draft of the new ordinance is proposing to allow 50% of the sign face to be dedicated to a digital display, which would be compliant with the request.

SAMPLE MOTIONS

If the Planning Commission finds the application complies with the standards, the following motion can be offered:

Motion to recommend the Township Board **conditionally approve** the proposed Grand Haven Professional Center PUD Amendment application to construct a 14,907 sqft two-story, two-suite office building on the south outlot of the Timberview PUD, with Parcel No. 70-03-33-200-072. This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance and Master Plan. The motion is subject to, and incorporates, the following report concerning the Planned Unit Development, including conditions of approval.

If the Planning Commission finds the application does not comply with the standards, the following motion can be offered:

Motion to recommend the Township Board **deny** the Grand Haven Professional Center PUD Amendment application, and direct staff to draft a formal motion and report with those discussion points, which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the Planning Commission finds the applicant must make revisions, the following motion can be offered:

Motion to **table** the Grand Haven Professional Center PUD Amendment application, and direct the applicant to make the following revisions:

1. *List the revisions.*

REPORT (TO BE USED WITH A MOTION TO APPROVE)

Pursuant to the provisions of the Grand Haven Charter Township (the “Township”) Zoning Ordinance (the “Zoning Ordinance”), the following is the report of the Grand Haven Charter Township Planning Commission (the “Planning Commission”) concerning an application by Hudsonville Professional Center LLC – Bradley A. Dykstra, DDS (the “Developer”) for approval of Grand Haven Professional Center Planned Unit Development Amendment (the “Project” or the “PUD”).

The Project will consist of an office building. This 1.69-acre Project will consist of a two-story, two-suite office building with a building footprint of 9,662 square feet, and an overall gross floor area of 14,907 square feet. It also includes 66 surface parking spaces, and 16 deferred spaces for a total of 82 parking spaces. The Project as recommended for approval is shown on a final site plan (the “Final Site Plan”), last revised 8/10/2018, including landscaping (the “Final Landscape Plan”) and elevation renderings (the “Final Elevations”), last revised 7/31/18; 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 recommendation, and the Planning Commission's decision that the Grand Haven Professional Center PUD Amendment be approved as outlined in this motion. The Developer shall comply with all the Documentation submitted to the Township for this Project. In granting 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 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. 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.
 - B. 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.
 - C. 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.
 - D. 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.
 - E. 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.
 - F. 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.
 - G. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the Fire/Rescue Department.
 - H. All streets and driveways are developed in accordance with the OCRC specifications, as appropriate. In addition, an external sidewalk within the 172nd Avenue right-of-way has been provided.
 - I. 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.
 - J. 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 to reduce light pollution and preserve the rural character of the Township.

- K. 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.
 - L. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
 - M. The Documentation conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
 - N. As appropriate, fencing will be installed around the boundaries of the development if deemed necessary to preventing trespassing or other adverse effects on adjacent lands.
 - O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.
2. The Planning Commission finds 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 has been 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 have been 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 Developer requested six departures. The Planning Commission makes the following findings.
- A. Section 21.01.8 – allow a 5.7-foot side yard setback on the west property line.
 - i. The Planning Commission finds it acceptable because there is a 60-foot right-of-way from the centerline of 172nd Avenue, which actually places the building over 32-feet from standard right-of-way, and 45-feet from road edge. Furthermore, this property has three road frontages, and corner lot side yard setbacks require 25-feet when only 9-feet is required for an interior side yard. The culmination of these findings makes site design impractical because of the right-of-way's and setbacks.
 - B. Section 21.01.8 – allow a portion of the dumpster enclosure to encroach into the required side yard.
 - i. The Planning Commission finds it acceptable to allow a portion of the dumpster enclosure to encroach into the required 25-foot side yard setback because it is a well-suited location to enable refuse removal to be less visible, and lessen the impact on vehicles maneuvering through the site. Furthermore, the dumpster enclosure would still be setback 14.4-feet from road edge, which does not encroach into the Dune View Drive right-of-way.
 - C. Section 24.02.2 – allow parking spaces within the required side yard.
 - i. The Planning Commission finds it acceptable because the three road frontages and mandatory 25-foot side yard setbacks make site design difficult. Furthermore, in 2017 the Zoning Board of Appeals approved a variance request to allow parking

spaces to be located in the required side yard. The affirmative findings of that variance mainly consisted of discovering the vast majority of existing commercial and industrial businesses have parking spaces within the required side yards.

- D. Section 24.03 – reduce the required number of parking spaces from 149 to 82, of which 16 would be deferred for future construction.
 - i. The Planning Commission finds this acceptable because it is not feasible to construct 149 parking spaces on this property because it would consume at least 55% of the total land area. Based on the applicants well-established experience, 149 spaces are excessive and unnecessary for this type of land use. Furthermore, it is a goal of the Resilient Master Plan to reduce impervious surface, and this departure request achieves that goal.
 - E. Section 24.13 – allow the commercial sign to be setback 10-feet from lot lines.
 - i. The Planning Commission finds this acceptable because additional right-of-way width demands the sign be setback an additional 27-feet than it would on a section of road with a standard right-of-way. Furthermore, the proposed language of the new zoning ordinance will be to require a setback of either 5-feet or 10-feet, which is consistent with the applicant’s request.
 - F. Section 24.12.12.A – allow the electronic message board on the ground sign to be 15 square feet in size.
 - i. *The Planning Commission finds this acceptable because the proposed language of the new zoning ordinance will allow 50% of the sign face to include a digital display whereas current regulations only permit 15% and establish a maximum size of 12 square feet.*
 - ii. *The Planning Commission does not find this acceptable because there are no existing conditions that prevent the applicant from complying with the current sign requirements. Furthermore, there is no identifiable benefit the Township is receiving in exchange for the larger digital display.*
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 the conservation of natural features and resources;
 - C. The Project will promote innovation in land use planning and development;
 - D. The Project will promote the enhancement of commercial employment for the residents of the Township;
 - E. The Project will promote greater compatibility of design and better use between neighboring properties;
 - F. The Project will promote more economical and efficient use of the land while providing a harmonious integration of necessary commercial facilities; and
 - G. The Project will promote the preservation of open space.

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 acres of contiguous land.
 - B. The original Timberview PUD design, with the PUD that will result from this Project, includes innovative development concepts that substantially forward the Intent and Objectives of Section 17.01, and permits an improved layout of land uses and other site features that could not otherwise be achieved under normal zoning.
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 stormwater management system for the Project and the drainage facilities will properly accommodate stormwater on the site, will prevent runoff 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. Buildings in the Project have been sited to protect natural resources. Natural features such as natural grade, trees, vegetation, water bodies and others have been incorporated into the Documentation.
 - I. 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.
 - J. The Project is reasonably compatible with the natural environment of the site and the adjacent premises.
 - K. 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.
 - L. Exterior lighting within the Project complies with Chapter 20A for an LZ 3 zone.
 - M. Outside storage of materials shall be screened from view.
 - N. Signage is compliant with Section 24.13 of the Zoning Ordinance.
 - O. 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.

- P. 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 Board before construction is commenced.
 - Q. 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 finds that the Project complies with the uses permitted for a commercial planned unit development, as described in Section 17.08.2.D of the Zoning Ordinance—Office Buildings.
- A. Office buildings, together with accessory buildings and uses customarily incidental to office buildings, have historically been and are currently permitted to be located in commercial planned unit developments.
 - B. “Office buildings” are not defined in the Zoning Ordinance, but they are commonly defined to include professional activities such as medical offices.
 - C. Although the Service Professional District specifically references medical offices, among other offices, since 1979, when the Service Professional District was established, the Township has consistently interpreted its Zoning Ordinance to not limit medical offices and other offices described in the Service Professional District to just being located in the Service Professional District. Rather, medical offices and other offices specifically described in the Service Professional District have since 1979 routinely been allowed in the Commercial District as well, which allows “office buildings.”
 - D. Chapter Six, Future Land Use Plan, of the 2009 Township Master Plan, states on page 6-9; as well as Chapter Nine, Future Land Use and Zoning Plan, of the 2016 Township Master Plan, states on page 66-67; that the Commercial, the Service Professional, and the Commercial Planned Unit Development Districts should **all** be considered as commercial, and that **any** commercial development proposal significant in scale or scope (as the Planning Commission finds this Project is) should be considered as a planned unit development.
8. The Planning Commission also finds the Project shall comply with the below additional conditions as well.
- A. Must obtain permits from all applicable agencies including, the Ottawa County Water Resources Commissioner and Ottawa County Road Commission. Permits shall be obtained before building permits are issued.
 - B. The Developer shall enter into a PUD Contract with the Township, which will be drafted by the Township Attorney and executed by the Township Board prior to receiving an occupancy certificate.
 - C. The Developer shall provide the Township with an easement for the external sidewalk along 172nd Avenue, which will be drafted by the Township Attorney and recorded with the Ottawa County Register of Deeds.

- D. The Developer is responsible for clearing and maintaining the sidewalk until the time when an unobstructed and connected system of walkways occurs from the jurisdictional boundary with the City of Grand Haven to the nonmotorized pathway on Comstock Street. Clearing shall occur minimally when 3-inches of snow has fallen. Bi-annual maintenance of sweeping the sidewalk shall occur in the spring and fall of each year.
- E. The Developer shall submit a full set of the Documentation, which includes all changes that have been required by the Township. The Documentation shall be submitted prior to the receiving an occupancy certificate.
- F. This approval is also conditioned upon the Developer meeting all applicable Federal, State, County, and Township laws, rules, and ordinances.
- G. The Developer shall comply with all the requirements of the Documentation, specifically including all the notes contained thereon, and all the representations made in the written submissions by the Developer to the Township for consideration of the Project.
- H. In the event of a conflict between the Documentation and these conditions, these conditions shall control.



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: August 15, 2018
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Regency at Grand Haven PUD – Request for Extension

BACKGROUND

On September 25, 2017 the Township Board conditionally approved the Regency at Grand Haven PUD. The PUD approval is valid for 1-year, and substantial construction must begin within that time period or the permit will expire. Section 17.04.7.A governs this situation (*see right caption for specific ordinance language*) and requires the Planning Commission to make a recommendation to the Township Board.

REQUEST

The written request for an extension was received from the applicant on August 3rd and requests a 1-year extension. The extension is being requested for the following reasons:

1. The new project manager was only recently promoted to the role of Director of Construction, and is bringing his team up to speed; and
2. Complete the Certificate of Need (CON) process again.

As staff understands the original CON expired and are in the process of reapplying.

SAMPLE MOTION

If the Planning Commission finds the extension request reasonable, the following motion can be offered:

Motion to recommend the Township Board **approve** the requested 1-year extension (*i.e., September 24, 2019*) for the Regency at Grand Haven PUD based on the request meeting the applicable requirements of Section 17.04.7.A of the Grand Haven Charter Township Zoning Ordinance.

SECTION 17.04.7.A

Approval of the PUD shall expire and be of no effect unless substantial construction has commenced within 1 year of the date of approval of the Final Site Plan of the PUD or any phase thereof. An extension for a specific period may be granted by the Township Board upon good cause shown, only if such request is made in writing to the Township Board prior to the expiration date. The Township Board, prior to making a determination, shall forward the request to the Planning Commission, and ask for a recommendation. If a recommendation from the Planning Commission is not offered within 21 days after being referred to the Planning Commission, the Township Board may act without input from the Planning Commission on the applicant's request for an extension.

From: Eric Mohler
To: [Stacey Fedewa](#)
Subject: Ciena: Grand Haven Skilled Nursing Facility
Date: Friday, August 03, 2018 3:12:28 PM

Stacey,

Good Afternoon. I am just following up in regards to our new project Grand Haven. Again I am very excited to moving forward on this project. I am requesting that Grand Haven Charter Township will extend the current PUD for one year. The main reason for the request is that I am taking over the new role of Director of Construction for The Ciena Group. I am wrapping my arms around this project and will need some time to get my team involved in this project. I want to make sure I have enough time to focus on this project. We also have been delayed by the CON process which has put us behind enough that I will need some extra time. Please consider my request.

Thank you for your consideration.

Eric Mohler
Director of Construction and Property Management
Ciena and Laurel Health Care Company
8181 Worthington Road
Westerville, OH 43082
Direct Line: 614-794-8800 Ext.351
Cell: 614-551-1504
emohler@laurelhealth.com

