

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
AUGUST 20, 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, and Wilson

Members absent: Hesselsweet and Reenders

Also present: Community Development Director Fedewa

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the July 16, 2018 meeting were approved.

V. CORRESPONDENCE

- Spring Lake Township – Amended Master Plan

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. Rezoning – Glueck – AG to RR

Cousins opened the public hearing at 7:03pm.

Fedewa provided an overview of the application through a memorandum dated August 16th.

There being no public comments, Cousins closed the public hearing at 7:05pm.

VIII. OLD BUSINESS

A. Rezoning – Glueck – AG to RR

Motion by Wilson, supported by Wagenmaker, 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.

Which motion carried unanimously.

IX. PUBLIC HEARING

B. PUD Amendment – Grand Haven Professional Center – Medical Office Building

Wagenmaker recused himself due to a conflict of interest, because he owns a building leased by the applicant.

Cousins opened the public hearing at 7:07pm.

Fedewa provided an overview through a memorandum dated August 15th.

The applicant, Dr. Bradley Dykstra, DDS and project engineer Nolan Miller, were both present and available to answer questions.

- Proposing a larger building because the land was expensive to purchase.
- Building would include a lounge and other amenities to make staff and patients more comfortable.
- Hudsonville office is similar in size and only has 40 parking spaces, which has not been enough. Confident the requested 66 spaces, with 16 deferred spaces, will sufficiently address the business's needs.
- Signage departures were requested based on the sign company's recommendation. Believes visibility is everything. Once Hudsonville office added a digital sign numerous people commented they were not aware the business was there until the new sign was installed.

There being no further public comments, Cousins closed the public hearing at 7:15pm

X. OLD BUSINESS

B. PUD Amendment – Grand Haven Professional Center – Medical Office Building

The application was discussed by the Commissioners and focused on:

- Supportive of the parking departure. Actual parking studies have found the requested number of spaces is consistent with the studies, and the zoning ordinance requires too many spaces. Furthermore, the applicant has first-hand experience with his Hudsonville office.
- Not supportive of the departure request for the buildings side yard setback along 172nd Avenue. Applicant needs to eliminate the easternmost parking spaces, and shift the building and access drive a minimum of 18-feet east, resulting in a 23-foot side yard setback rather than the requested 5.7-foot. That would negate the need to defer parking spaces as well.
- Regarding the departure request for sign placement, ok with a 10-foot setback rather than the required 15-feet, but will not approve an 8-foot setback.
- Also, not supportive of the departure request to increase the size of the digital sign. Needs to comply with current requirements, which would place the size at 10 sqft rather than the requested 15 sqft.

- Support the departure request for the dumpster enclosure. It is well-screened, and the location is sensible for maneuverability and circulation purposes. Request is a 14-foot setback, but are ok with it being reduced to 10-feet, which may be necessary when the building is shifted east.

Motion by Wilson, supported by Chalifoux, 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. **Which motion carried unanimously.**

REPORT – GRAND HAVEN PROFESSIONAL CENTER – PUD AMENDMENT

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 and 8/16/18; 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.

- 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. Prior to the public hearing being scheduled with the Township Board, the following revisions shall be made to the application, and confirmed administratively by staff:
 - i. Eliminate the easternmost parking spaces, and shift the building and internal access drive to the east a minimum of 18-feet.
 - ii. Ensure the dumpster enclosure maintains a minimum setback of 10-feet.
 - iii. The minimum amount of parking spaces shall be 66.
 - iv. Proposed sign shall be setback 10-feet.
 - v. Proposed digital sign shall meet current requirements, which is 25% of the sign area with a maximum size of 12 sqft.

- B. 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.
- C. 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.
- D. 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.
- E. 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.
- F. 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.
- G. This approval is also conditioned upon the Developer meeting all applicable Federal, State, County, and Township laws, rules, and ordinances.
- H. 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.
- I. In the event of a conflict between the Documentation and these conditions, these conditions shall control.

XI. NEW BUSINESS

A. Regency at Grand Haven PUD – Request for Extension

Wagenmaker rejoined the Planning Commission.

Fedewa provided an overview of the request in a memorandum dated August 15th.

The request was discussed by the Commissioners and focused on:

- Hesitant to provide the extension without more information on the Certificate of Need status.
- Township’s intention is to be “developer-friendly,” and the request is not unreasonable.
- Confirmed that any significant changes to the site would require a Major PUD Amendment process.

Motion by Kieft, supported by Taylor, 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. **Which motion carried unanimously.**

XII. REPORTS

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

XIII. EXTENDED PUBLIC COMMENTS – None

XIV. PLANNING COMMISSION OPEN DISCUSSION FORUM – LIMITED TO 30 MINUTES

- Wilson provided an update on the community engagement process with neighbors near the Voisin Trust property, which is hoping to be rezoned to Industrial. Believes some progress was made when it was offered to provide municipal water to some of the properties.
- Discussion segued into the Gardens Alive! Farms, which has closed. It is over 225-acres and abuts existing industrial businesses. Perhaps this would be a more suitable location for industrial, or even an industrial park.
- Indicated the Chamber of Commerce was supportive, and believe the site may be eligible for Brownfield funding.
- Consensus the Chamber of Commerce should provide a presentation to the Township Board, so this matter can be discussed further.

XV. ADJOURNMENT

Without objection, the meeting adjourned at 8:12 pm.

Respectfully submitted,



Stacey Fedewa
Acting Recording Secretary