

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
OCTOBER 1, 2018

I. CALL TO ORDER

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

II. ROLL CALL

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

Members absent: Cousins

Also present: Community Development Director Fedewa and Attorney Bultje

Without objection, Wilson instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the August 20, 2018 meeting were approved.

V. CORRESPONDENCE

- Robin A. Yoder – 14787 Pine Glen – Lincoln Pines Expansion

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. PUD – Millhouse Bayou – Condos

Wilson recused himself due to a conflict of interest – his brokerage company has a financial interest in the sale of the subject property.

Without objection, LaMourie was nominated as the temporary Chair.

LaMourie opened the public hearing at 7:03 pm.

Fedewa provided an overview through a memorandum dated September 27th.

The developer and applicant, Mike Bosgraaf, and Project Engineer, Nolan Miller, were both present and available to answer questions.

Bosgraaf provided an overview of the development.

There being no public comments, LaMourie closed the public hearing at 7:08 pm.

VIII. OLD BUSINESS

A. PUD – Millhouse Bayou – Condos

The application was discussed by the Commissioners and focused on:

- Questioned the building separation of 16-feet between condos and if that has become consistent enough to warrant an ordinance change.
 - Project Engineer Miller explained the goal is to provide 20-feet of separation between condos, but are requesting the 16-foot separation to provide flexibility.
- Consensus that the road width should be 26-feet to comply with Ottawa County Road Commission standards.
- Want to ensure the development does not include short term rentals.
 - Developer Bosgraaf agreed to include a provision in the Master Deed and Bylaws to restrict rentals to a minimum 1-year lease.
- Inquired if the four-unit condo would create a precedence, and if any similar buildings were nearby.
 - Fedewa explained that each residential PUD stands on its own when it comes to the building types, but the four-unit condo could be referenced by future developers.
 - Developer Bosgraaf explained the four-unit is only present to comply with the open space requirements.

Motion by Kieft, supported by Chalifoux, to recommend the Township Board **conditionally approve** the proposed Millhouse Bayou Condos PUD application to construct 26 attached single-family condos located at 14100 152nd Avenue, 15014 Bignell Drive, and Parcel No. 70- 07-01-151-011. 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 – MILLHOUSE BAYOU CONDOS – 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 Mike Bosgraaf of T Bosgraaf Homes LLC (the “Developer”) for approval of a Millhouse Bayou Condos Planned Unit Development (the “Project” or the “PUD”).

The Project will consist of single-family attached condominiums. This 9.1-acre Project will consist of eleven two-unit attached condos and one four-unit attached condo. It will also include 3.93-acres of designated open space. The Project as recommended for approval is shown on a final site plan (the “Final Site Plan”),

last revised 9/21/2018, including landscaping (the “Final Landscape Plan”); 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 Millhouse 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 along the south side of the private road.
 - 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 required by the Township, and installed by the Developer, 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 21.02 – allow an 8-foot side yard setback, totaling a 16-foot building separation.
 - i. The Planning Commission finds it acceptable to allow a reduced side yard setback based on past practices of other residential PUDs, particularly those that include condominiums; and based on the preservation of open space.
 4. The Grand Haven Charter Township Private Roads and Driveways Ordinance provides the standards for private road construction. Section 7 of this Ordinance permits the Township Board of Trustees to grant exceptions when the strict application of the literal terms would impose an undue hardship, or when it results in practical difficulties. However, it is the general purpose of that Ordinance to protect the public health, safety, and welfare, and it is therefore anticipated that such exceptions should be rarely granted. Although the Planning Commission does not have authority over the Ordinance, a recommendation is still being provided to aid in the Township Board of Trustee’s decision-making process. In doing so, the Planning Commission makes the following findings:
 - A. Section 4.1 – allow 26 premises on a private road with only one entrance.
 - i. The Planning Commission finds it acceptable to allow the additional two premises because the Grand Haven Charter Township Fire/Rescue Department is supportive of the request. Furthermore, Section D107.1 of the 2012 International Fire Code allows up to 30 dwellings utilizing one approved fire apparatus access road (*i.e.*, *one entrance*).
 - B. Section 4.3.C.3 – allow a reduced roadway width of 24-feet.
 - i. The Planning Commission does not find this acceptable because the minimum requirements of the Ottawa County Road Commission call for a 26-foot width.
 5. 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.
6. 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 exhibits significant natural features encompassing more than 25% of the land area of the PUD which will be preserved as a result of the PUD plan. The features include wetland and floodplain.
 - C. The Project site has distinct physical characteristics which makes compliances with the strict requirements of the ordinance impractical.
7. 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.
8. 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.
 9. The Planning Commission also finds the Project shall comply with the below additional conditions as well.
 - A. Master Deed and Bylaws shall include a provision that restricts rentals to a minimum term of 1-year.
 - B. Developer shall strive for a 20-foot building separation for all condos, but are permitted a reduced separation of 16-feet to allow flexibility.
 - C. All dwellings shall be constructed a minimum of 3-feet above the Base Flood Elevation as determined by the FEMA NFIP Map with a 12/16/2011 effective date.
 - D. The Condominium Master Deed, Bylaws, and Exhibit B documents must be submitted to the Township for review and approval prior to obtaining a building permit.
 - E. The open space must be set aside by means of conveyance that satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance. Said conveyance shall be submitted to the Township for review and approval prior to obtaining an occupancy permit.

- F. Must obtain permits from all applicable agencies including, the Ottawa County Road Commission and Ottawa County Water Resources Commissioner. Permits shall be obtained before building permits are issued.
- G. 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.
- H. This approval is also conditioned upon the Developer meeting all applicable Federal, State, County, and Township laws, rules, and ordinances.
- I. 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.
- J. In the event of a conflict between the Documentation and these conditions, these conditions shall control.

IX. PUBLIC HEARING

B. PUD – Lincoln Pines – Expansion

Wilson rejoined the Planning Commission.

Wilson opened the public hearing at 7:21 pm.

Fedewa provided an overview through a memorandum dated September 27th.

The developer, Mike McGraw, was present and available to answer questions.

- Density is actually reduced with the new expansion.
- Beautiful wooded site, wants to keep natural.
- Expects the new land to provide premium lots.
- Requesting to continue the 8-foot side yard setbacks. Typical setback requirement in other Michigan communities is 10% of the lot size, and this development includes 80-foot lots.

Dale Wiebenga – 12987 144th Avenue

- Lives adjacent to the proposed expansion. House is approximately 60-feet from the shared driveway.
- Wants to save as many trees as possible for screening.

Jon Thompson – 12993 144th Avenue

- Lives adjacent to the proposed expansion. Has accessory building approximately 15-feet from the lot line.
- Wants to save as many trees as possible for screening.
- Inquired if developer could adjust the road for the expansion to provide more separation between the lots and his property.

- Questioned what the developer will do with the overhead electrical lines.

Sue Thompson – 12993 144th Avenue

- There are large mature trees in the expansion area that should be saved.

There being no further public comments, Wilson closed the public hearing at 7:33 pm

X. OLD BUSINESS

B. PUD – Lincoln Pines – Expansion

The application was discussed by the Commissioners and focused on:

- A lengthy discussion ensued regarding tree preservation, screening, no-cut buffers, etc.
 - Fedewa provided several examples of how this concern could be addressed.
 - Some Commissioners wanted tree preservation, no-cut buffers, administrative review of screening before each dwelling is constructed along the north boundary line. Gaps would be filled-in with a shade-tolerant evergreen such as hemlocks.
 - Some Commissioners do not want to add tree preservation requirements because it reduces the flexibility for future buyers. Do not want to place too many encumbrances on the property.
 - Developer McGraw supports the no-cut buffers, but not tree preservation or administrative review of screening.
- Consensus that the road width should be 26-feet to comply with Ottawa County Road Commission standards.

Motion by Reenders, supported by Wagenmaker, to recommend the Township Board **conditionally approve** the proposed Lincoln Pines PUD expansion to construct a total of 114 platted subdivision lots and 48 condominium units, which would now include Parcel No. 70-07-12-400-007. 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 two additional conditions of approval—10-foot no-cut buffer along north and south boundary lines; and a 20-foot no-cut buffer along the northern edge of the retention basin. **Which motion failed**, as indicated by the following roll call vote:

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

Motion by Taylor, supported by Reenders, to recommend the Township Board **conditionally approve** the proposed Lincoln Pines PUD expansion to construct a total of 114 platted subdivision lots and 48 condominium

units, which would now include Parcel No. 70-07-12-400-007. 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 one additional condition of approval—a 20-foot no-cut buffer along the northern edge of the retention basin. **Which motion failed**, as indicated by the following roll call vote:

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

Commissioners questioned the results of this motion, and it was discovered there was a miscommunication regarding the 10-foot no-cut buffer. When this matter was resolved another motion was made.

Motion by Reenders, supported by Wagenmaker, to reconsider the first motion. **Which motion passed by a 5-3 majority**, as indicated by the following roll call vote:

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

Commissioners who voted against the application indicated they would have been supportive if an administrative review of the screening was conducted prior to each house being built.

REPORT – LINCOLN PINES – PUD EXPANSION

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 Signature Land Development Corporation (the “Developer”) for approval of the Lincoln Pines Planned Unit Development expansion (the “Project” or the “PUD”).

The Project will consist of the existing 38 platted lots in phase 1, and in phases 2 and 3 will have an additional 76 platted lots and 48 condominium units. The Project as recommended for approval is shown on a final site plan (the “Final Site Plan”), last revised 8/20/2018 and is 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 amended Lincoln Pines PUD be approved as outlined in this motion. The Developer shall comply with all of 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.
 - 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 required by the Township, and installed by the Developer, 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 21.02 – allow an 8-foot side yard setback, totaling a 16-foot building separation.
 - i. The Planning Commission finds it acceptable to allow a reduced side yard setback based on past practices of other residential PUDs, particularly those that include condominiums; and based on the preservation of open space.
4. The Grand Haven Charter Township Private Roads and Driveways Ordinance provides the standards for private road construction. Section 7 of this Ordinance permits the Township Board of Trustees to grant exceptions when the strict application of the literal terms would impose an undue hardship, or when it results in practical difficulties. However, it is the general purpose of that Ordinance to protect the public health, safety, and welfare, and it is therefore anticipated that such exceptions should be rarely granted. Although the Planning Commission does not have authority over the Ordinance, a recommendation is still being provided to aid in the Township Board of Trustee’s decision-making process. In doing so, the Planning Commission makes the following findings:
 - A. Section 4.3.C.3 – allow a reduced roadway width of 24-feet.
 - i. The Planning Commission does not find this acceptable because the minimum requirements of the Ottawa County Road Commission call for a 26-foot width.
5. 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
 - G. The Project will promote the preservation of open space.
6. 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 contains two separate and distinct residential uses—single family, and attached condominiums.
 - C. The Project site has distinct physical characteristics which makes compliances with the strict requirements of the ordinance impractical.

- D. 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 that could not otherwise be achieved under normal zoning.
7. 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.
8. The Planning Commission finds that the Project complies with the uses permitted for a residential planned unit development, as described in Sections 17.07.1.A and 17.07.1.C of the Zoning Ordinance—Single Family Dwellings and Multiple Family Dwellings.
9. The Planning Commission also finds the Project shall comply with the below additional conditions as well.
- A. The open space must be set aside by means of conveyance that satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance. Said conveyance shall be submitted to the Township for review and approval prior to obtaining an occupancy permit.
 - B. Must obtain permits from all applicable agencies including, the Ottawa County Road Commission and Ottawa County Water Resources Commissioner. 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 permit.
 - D. This approval is also conditioned upon the Developer meeting all applicable Federal, State, County, and Township laws, rules, and ordinances.
 - E. 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.
 - F. In the event of a conflict between the Documentation and these conditions, these conditions shall control.

XI. NEW BUSINESS

A. Training – Resilient Michigan Video Series

Without objection, the Planning Commission will postpone this training until the next meeting.

XII. REPORTS

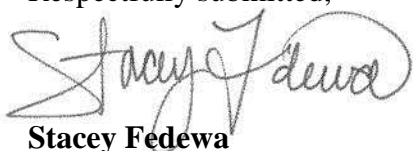
- A. Attorney Report – None
- B. Staff Report – None
- C. Other – None

XIII. EXTENDED PUBLIC COMMENTS – None

XIV. ADJOURNMENT

Without objection, the meeting adjourned at 8:26 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

Acting Recording Secretary