

MEETING MINUTES OF THE  
GRAND HAVEN CHARTER TOWNSHIP PLANNING COMMISSION  
AUGUST 18, 2014

I. CALL TO ORDER

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

II. ROLL CALL

Members present: Kieft, LaMourie, Robertson, Kantrovich, Taylor, Reenders, & Wilson  
Members absent: Redick  
Also present: Cargo, Fedewa, and Attorney Bultje

**Without objection**, LaMourie instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

**Without objection**, the minutes of the July 21, 2014 meeting were approved.

V. CORRESPONDENCE

Addition of Ottawa County Road Commission approval of the driveway locations for the Piper Lakes Apartments PUD site plan.

Introduction of new Planner – Stacey Fedewa

LaMourie noted that because his firm performed the Traffic Impact Analysis for the Piper Lakes Apartments project he will abstain from the public hearing and consideration of the proposed PUD application.

T. French formal resignation from the Planning Commission

VI. PUBLIC HEARING – PUD Application – Piper Lakes Apartments (204 units)

Robertson opened the public hearing at 7:34 p.m.

Cargo provided a brief overview of the PUD application through an August 13<sup>th</sup> memorandum.

Denny Churette of the Churette Group provided a detailed review of the proposed PUD.

Robertson closed the public hearing at 7:48 p.m.

VII. OLD BUSINESS – First Phase

a) Consideration of PUD Application – Piper Lakes Apartments

**Motion** by Reenders, supported by Kantrovich to recommend to the Township Board approval with conditions of the Piper Lakes Apartment Planned Unit

Development located on parcel # 70-03-33-200-030 based on the application meeting applicable PUD requirements and standards of the Grand Haven Township Zoning Ordinance, and to recommend that the Township Board rezone the parcel to the Planned Unit Development District.

Approval of this development shall be conditioned upon the following:

1. Approval and compliance with all requirements of the Ottawa County Water Resources Commissioner.
2. Submission of an updated landscaping plan that includes an additional eighteen (18) trees.
3. The Developer shall enter into a PUD Agreement with the Township which outlines the findings and conditions of approval for this development. This agreement shall be reviewed and approved by the Township Board prior to the final approval of this development.
4. Approval of the gate material for the Phase 1 Temporary Refuse Area.

**Which motion carried.**

### **REPORT**

Pursuant to the provisions of the Grand Haven Charter Township (the "Township") Zoning Ordinance (the "Zoning Ordinance"), the following report of the Grand Haven Charter Township Planning Commission (the "Planning Commission") concerning an application by HC Capital Partners IV, LLC (the "Developer") for approval of a Piper Lakes Apartments Planned Unit Development (the "Project" or the "PUD").

The Project will consist of high density, multi-family residential development consisting of eight (8), three-story apartment buildings with 204 units, a clubhouse, pool, dog park and children's play area, maintenance building and qualifying open space for a total development area of about 14.509 acres. The Project as recommended for approval is shown on a final site plan, last revised 08/12/2014 (the "Final Site Plan"), presently on file with the Township.

The purpose of this report is to state the recommendation of the Planning Commission concerning the Project, the basis for the Planning Commission's recommendation, and the Planning Commission's recommendation that the Piper Lakes Apartments PUD be approved as outlined in the above motion.

The Developer shall comply with all of the documentation submitted to the Township for this Project. In recommending the approval of the proposed PUD Amendment, 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, the Planning Commission finds as follows:
  - a. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.
  - b. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
  - c. Safe, convenient, uncontested, and well defined vehicular and pedestrian

circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

- d. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the Township.
  - e. Removal or alteration of significant natural features, are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
  - f. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
  - g. The Site Plan provides reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
  - h. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
  - i. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
  - j. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
  - k. Exterior lighting is arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
  - l. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.
  - m. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
  - n. The Site Plans conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
  - o. The general purposes and spirit of this ordinance and the master plan of the township are maintained.
2. The Planning Commission finds that the Project meets the intent for a PUD, as described in Section 17.01.3 of the Zoning Ordinance. By approving this Project as a PUD, the Township has been able to negotiate various amenities and design characteristics, as well as additional restrictions, with the Developer which the Township would not be able to negotiate if the PUD Chapter of the Zoning Ordinance were not used.
  3. 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 through the preservation of the required open space.
  - c. The Project will promote innovation in land use planning and development.
  - d. The Project will promote and ensure greater compatibility of design and better use between neighboring properties.
  - e. The Project will promote the preservation of open space for parks/open space and passive recreation.
4. The Project meets the following qualification requirements of Section 17.02 of the Zoning Ordinance:
- a. The Project meets the minimum size of five (5) acres required by the Zoning Ordinance.
  - b. The PUD site design substantially moves forward the intent and objectives of Section 17.01 of the Zoning Ordinance.
5. The Planning Commission also finds that the Project complies with the general PUD design considerations of Section 17.05 of the Zoning Ordinance, as follows.
- a. The storm water management system for the Project and the drainage facilities will properly accommodate storm water on the site, will prevent run off to adjacent properties, and are consistent with the Township's groundwater protection strategies.
  - b. The Project will not interfere with or unduly burden the water supply facilities, the sewage collection and disposal systems, or other public services such as school facilities, park and recreation facilities, etc.
  - c. Utility services within the Project shall be underground. This includes but is not limited to electricity, gas lines, telephone, cable television, public water and sanitary sewer.
  - d. The internal road system in the Project is designed to limit destruction of existing natural vegetation and to decrease the possibility of erosion.
  - e. Vehicular circulation, traffic and parking areas have been planned and located to minimize effects on occupants and users of the Project and to minimize hazards to adjacent properties and roadways.
  - f. Parking requirements for each use have been determined to be in accordance with Chapter 24 (Parking, Loading Space, and Signs).
  - g. Lighting within the Project complies with the Township's Outdoor Lighting Requirements for an LZ3 zone.
  - 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 Final Site Plan.
  - 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 predominant building materials have been found to be those characteristic of Grand Haven Charter Township such as brick, wood, native stone and tinted/textured concrete masonry units and/or glass products.
  - k. The Project is reasonably compatible with the natural environment of the site and the adjacent premises.
  - l. 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.
  - m. 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.

- n. 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.
- o. The Project provides adequate accessibility for an apartment complex with more than 24 dwelling units (i.e. more than one separate access).
- p. The Project satisfies and exceeds the minimum open space of 20 percent required by the Zoning Ordinance. The Project further satisfies and, in fact, exceeds the Zoning Ordinance requirement that at least 26 percent of the open space is open to the residents of the Project.
- q. The open space in the Project is large enough and properly dimensioned to contribute to the purpose and objectives of the PUD.
- r. The open space in the Project consists of contiguous land area which is restricted to non-development uses.
- s. The open space shall remain under common ownership or control.
- t. The open space shall be set aside by a means of conveyance approved by the Township Board, which conveyance satisfies the requirements of Section 17.05.5.G of the Zoning Ordinance.
- u. The Project does not abut a single family residential district. 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.

#### VIII. OLD BUSINESS – Second Phase

##### b) Discussion of Livestock Facility Zoning Text Amendment

###### Public Comments:

- 1. Theresa Sispera (13745 Lake Sedge) is supportive of sustainable urban farms. Requests the Commission to consider smaller acreage requirements.
- 2. Derek Warner (17082 Buchanan) is supportive of sustainable urban farms. Requests the Commission to consider smaller acreage requirements.
- 3. Roger Bloemers (17256 Buchanan) is supportive of farming, but has neighbor without expertise in livestock management. Concerned about quiet enjoyment of his property if livestock facilities are allowed in primarily residential areas.

###### Comments from Kantrovich:

We need to protect all land owners' rights so that one does not infringe on another. So this ordinance must be developed in a manner that considers all of those involved and not involved. Some concerns or possible amendments/edits to the document would include:

- 1. The use of Animal Units to determine an appropriate amount of animals on a piece of a ground is too general for multiple purposes.
  - a) There may be a piece of ground that can handle 1 animal unit an acre while another property can only handle 1 animal unit for every 5 or 10

- acres. I don't believe that the Township has the capabilities (time, money, etc.) to determine and regulate this type of situation.
- b) Because of how animal units are determined we may have different animal unit(s) provided to a single animal depending on the age of that animal which then becomes difficult for the Township to enforce (i.e. pigs/hog animal unit will change with its age and weight.)
  - c) The type and number of animals vary widely using the animal unit measure. That can cause the situation to go from a family raising animals for their own consumption to what many consider a commercial farm, which many do not believe is appropriate in rural residential areas.
2. Need to obtain more information to reword the use of regulation on GAAMPs. The current phrase makes it appear that GAAMPs is a law that must be followed, but that is not the case for a farm. However, GAAMPs may be required for those in RR/RP zones. This needs to be reworded to be clear.
  3. The current ordinance suggests farming activities are allowed except for rendering and fertilizer production/sales. We need to review this and modify the language so it applies to individuals in RR/RP zones that need to dispose of the manure and livestock byproducts. We also need to expand this information to cover the slaughtering of livestock beyond the purpose of supporting the family.

**Motion** by Kantrovich, supported by Robertson to establish a Livestock Sub-Committee to discuss the issue in greater detail. Sub-Committee members are: Kantrovich, Reenders, Robertson, and staffed by Fedewa.

**Which motion carried.**

IX. REPORTS

- a. Attorney Report - None
- b. Staff Report
  - Schultz Landscape and Irrigation Site Plan will be on the September 2, 2014 agenda.
- c. Others - None

X. EXTENDED PUBLIC COMMENTS PERTAINING TO NON-AGENDA ITEMS

None.

XI. ADJOURNMENT

**Without objection**, the meeting adjourned at 8:38 p.m.

Respectfully submitted,

**Stacey Fedewa**  
Acting Recording Secretary