

AGENDA

Grand Haven Charter Township Planning Commission
Monday, June 18, 2018 – 7:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Pledge to the Flag
- IV. Approval of the June 4, 2018 Meeting Minutes
- V. Correspondence
- VI. Brief Public Comments & Questions (Limited to 3 minutes)
- VII. Public Hearing
 - A. Rezoning – SP to R-2 – French
- VIII. Old Business
 - A. Rezoning – SP to R-2 – French
- IX. New Business
 - A. Staff Request – Lincoln Pines Discussion of 2 Lots
- X. Reports
 - A. Attorney’s Report
 - B. Staff Report
- XI. Extended Public Comments & Questions (Limited to 4 minutes)
- XII. 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
JUNE 4, 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, Attorney Bultje, and Assistant Zoning Administrator Hoisington

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the May 21, 2018 meeting were approved.

V. CORRESPONDENCE

- Lakeshore Gardens PUD – Scott Klaassen
- Lakeshore Gardens PUD – Jolee Wennersten, DVM
- Lakeshore Gardens PUD – Ronda Ruscett, OD

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. PUD – Lakeshore Gardens – Multifamily Apartment Complex

Cousins opened the public hearing at 7:02pm.

Fedewa provided an overview through a memorandum dated May 31st.

Developers Ben Robbins and Terry Nash were present and available to answer questions as well as architect Mark Oppenhuizen and environmentalist Roger Bour.

- Another overview of the project was provided by the developer.
- Developer requested the Planning Commission strongly consider a motion for conditional approval and allow the environmental studies to be completed at a later date because it is typically outside the purview of the local municipality.
- Acknowledged the storage unit proposal was no longer part of the application.

- Detailed information regarding the universal design incorporated into some of the project such as pocket doors, zero-step entrances, extra handicap accessible parking spaces (*both surface and garage stalls*), and will comply with all other accessibility requirements under the building code.

Public Comments include:

- Jean Kocher – 15002 Madeleine Court – supports the application:
 - New resident of Grand Haven.
 - Has a daughter with special/unique abilities.
 - Previous location where daughter lived in Lansing was condemned.
 - Daughter has been independent and held a job for 20+ years and wants to continue.
 - This type of development, and non-profits such as Gracious Grounds make that possible.
- Sandy Baker – 1015 Moorings Court, North Muskegon – supports the application:
 - Executive Director of Gracious Grounds.
 - Has many people with unique abilities that want, and need, a place to live independently.
 - The greater Grand Haven community has been actively supporting Gracious Grounds and their mission.
 - Believes the proposed apartments are suitable “forever homes” for people with unique abilities because maintenance and other household obligations are completed by the apartment complex.
- Ted Fricano – 15081 168th Avenue – has questions and concerns:
 - Speaking on behalf of his mother, who is concerned that easements proposed within this development would encroach onto her land.
 - Believes 156-units will bring much more traffic and other intensities to the area.
 - Urged the Planning Commission to take their time, carefully consider all aspects of the application, and make an informed decision.

Cousins noted that correspondence was received in regard to the application. One in support, and the other two noting concerns with the impact to their adjacent businesses.

There being no further comments, Cousins closed the public hearing at 7:25pm.

VIII. OLD BUSINESS

A. PUD – Lakeshore Gardens – Multifamily Apartment Complex

The application was discussed by the Commissioners and focused on:

- Reviewed, considered, and discussed the proposed departure request to increase the width of the maneuvering lane from 24-feet to 35-feet to enable wheelchair accessible vans to have more maneuverability to enter/exit the garage stall.
 - Developer acknowledge it would be better to have a circulation plan that includes a wheelchair accessible van, but Auto-CAD does not have a model for that type of vehicle, and were unable to produce the requested illustration.
 - Inquired what the width of the accessible stalls are in the garage buildings. Uncertain if theirs is shown at 13-feet or 16-feet.
 - Developer is uncertain, but will review the matter and if needed make adjustments to garages accordingly to ensure compliance with accessibility parking requirements.
 - Recommended the developer reduce the length of the landscape islands adjacent to garage buildings to support their desire for safe maneuverability.
 - Commission provided verbal confirmation they would support this departure request at the width of 35-feet based on the safety arguments provided by the developer.
 - It is noted a verbal confirmation is not binding, but was merely provided in an effort to give the developer meaningful input for them to finalize their design concepts.
- Inquired how much open space is being proposed.
 - 20% is required, but developer is proposing 22%, or approximately 2.5-acres.
- An in-depth and lengthy discussion ensued about the recent environmental studies that were provided to the Township.
 - Fedewa explained a complaint was received from a former employee that alleged a variety of possible contamination. Including leaking equipment and unpermitted septic systems. Based on this complaint, staff requested the environmental study. Initially, the developer was unwilling to provide the studies, but assured staff there were no issues. After much back-and-forth between staff and the developer; and between the attorneys for the Township and developer the Phase 1 Environmental Site Assessment (ESA) was provided after meeting packets were distributed; and Phase 2 ESA was provided the day of this meeting. Due to the lack of time that staff, and the Commission, have to review the studies—staff is recommending the application be tabled.
 - Further, per Superintendent Cargo the Township must be aware of contamination for many reasons including—type of gaskets to use in utility installation; groundwater discharge procedure for dewatering; dust particles that could trespass onto adjacent property; contamination plumes within the groundwater, etc.

- Fedewa then had numerous inquiries for environmentalist Bour, which included:
 - Township does not have record of the site being connected to municipal sanitary sewer. The ESA's indicate part of the site is connected. Inquired if that would change how the testing and sampling was conducted.
 - Bour response: Yes, more sampling and testing would be conducted. Explained the property owner was provided a questionnaire about condition and use of the land. Simply relied upon the information given in the questionnaire, and did not follow-up to confirm accuracy of said information.
 - Samples were only taken around the Above-ground Storage Tanks (ASTs). Questioned if samples were taken from anywhere else on the site, and if not, why? It was an intense land use for nearly 60-years (*according to the ESA*) and the type of business would have, and use, numerous products that contain a variety of chemicals.
 - Bour response: Based on questionnaire information and Phase 1 ESA there was no need to perform further testing. Only contamination present is a 40' x 40' area around the ASTs.
 - Questioned if he believed a problem could arise if a municipal watermain were to traverse through the contaminated AST area. ESA's describe a common resolution is to leave contamination in place, not treat it, and simply record a restrictive covenant against the property prohibiting any structures from being built on the contaminated area. Then install monitoring wells to test for possible contamination over the next year. Noted that if persons with unique abilities from Gracious Grounds live onsite they may have enhanced sensitivities to the contamination and that should be a consideration within the scope of the ESA.
 - Bour response: Yes, installing municipal watermain through the contaminated area could be problematic, and cleaning the area would be the best method of resolving this concern.
 - Inquired why they ceased testing for diesel fuel after one sample returned a negative result?
 - Bour response: Followed protocol, and did not believe further testing of diesel fuel was warranted after the negative result.
 - Inquired when information and test results would become available for the deep boring test, which is intended to determine if the contamination has plumed, and if so, what direction.
 - Bour response: Waiting for test results, but do not anticipate a problem.

- Commissioners asked the following related to the environmental studies:
 - Would a common septic tank meet the threshold for sampling?
 - Bour response: No, not if only used for human waste. However, if a private septic system was used to discharge non-human waste such as petroleum based products then further testing would be needed.
 - Inquired if a baseline test or due care plan was created? It is common practice to do both.
 - Bour response: No, did not seem necessary and was not requested by property owner.
- The Commission, Fedewa, and Bultje did express to the developer and audience that while the discussion may seem concerning—the true scope of the contamination and cleanup is minimal. However, the Township received the information very late, and had many questions. Had the information been provided earlier, the inquiries about process and procedure would have occurred outside the public hearing process, and staff would have just reported the findings and solution.
- Glad to see the additional points of access to the adjacent D&W property. Inquired if the easements would be permanent.
 - Developer response: Yes, will be permanent, but if the adjacent property owner found the cross-connection was impeding their business then they would require the connection point to solely be maintained as an emergency access. However, that is not expected to occur and is merely a safeguard.
- Questioned the two commercial outlots noted as A-1 and A-2 on the plans; and why a driveway was being shown on Robbins Road. Commission would be opposed to this additional driveway when access can be provided via the entrance road for the apartments. Requested that driveway be removed from the site plan because the two outlots are not part of the PUD application.
- Agreed that two more dumpster enclosures are needed for the site.
- Affirmed the Fire/Rescue Department request to increase the width of the main entrance.
- Commissioners reviewed the departure request to reduce the minimum floor area for two of the apartment floor plans.
 - Developer provided compelling documentation of comparable apartment sizes.
 - Ottawa Housing Next providing support for an efficiency unit is also compelling.

- Commission provided verbal confirmation they would support this departure request to allow minimum floor areas of 496 sqft for 12-units, and 730 sqft for 39-units.
 - It is noted a verbal confirmation is not binding, but was merely provided in an effort to give the developer meaningful input for them to finalize their design concepts.
- Fedewa inquired about an idea that was discussed with the Ottawa County Water Resources Commissioner to improve the stormwater management plan and provide more resiliency.
 - If the landscape islands within the parking lot and the open space area east of the clubhouse were to be slightly depressed to allow stormwater to infiltrate onsite, would the Commission be agreeable to allowing that to occur within the open space. It would be unnoticeable to the users of the site, and the depression would be so shallow that after the rain event ended there would not be any pooling or ponding of excess stormwater within the open space areas.
 - Yes, the Commission expressed their verbal approval of this design.

Motion by Taylor, supported by Wagenmaker, to **table** the Lakeshore Gardens PUD application, and direct the applicant to address the following:

1. Provide written documentation from the City of Grand Haven DPW Director that conceptually approves the proposed access points onto Robbins Road.
2. Provide written documentation from the Ottawa County Water Resources Commissioner that conceptually approves the stormwater management system.
3. Increase the width of the main drive aisle to 30-feet from the boulevard to the curve adjacent to the clubhouse.
4. Add another dumpster enclosure near Building F.
5. Add another dumpster enclosure on the west side of Buildings A/B.
6. Shift the driveway stub to A-1 and A-2 to the south, or provide a circulation plan that shows a commercial vehicle can successfully complete the required turning movements.
7. Create, and provide a Due Care Plan for the environmental concerns.
8. Conduct additional sampling if it is determined the site is not connected to municipal sanitary sewer; and provide the updated environmental reports.
9. Remove proposed curb-cut on Robbins Road that would allow access to the A-1 and A-2 outlots that are not part of the PUD application.

10. Clarify if the width within the garage stalls is 16-feet and can accommodate a wheelchair accessible van.

Which motion carried unanimously.

IX. NEW BUSINESS

A. 2017 Planning Commission Report

Fedewa provided an overview of the report in a memorandum dated June 4th.

The Commissioners affirmed the findings and information provided in the report.

X. REPORTS

A. Attorney Report – None

B. Staff Report – None

C. Other

- Wilson noted the Special Land Use application for Fit Body Bootcamp is being withdrawn because they found another site that better suites their needs.
- Reenders noted his concerns over stormwater runoff and accountability to ensure construction is done according to the permitted plans.
- Reenders noted the Gardens Alive Farms at 16127 Winans Street is ceasing operations effective August 3rd. Considering its size, and location adjacent to existing industrial, and proposed industrial, the Township should review the various options available when the Future Land Use map is amended after the new zoning ordinance is adopted.

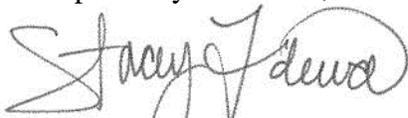
XI. EXTENDED PUBLIC COMMENTS

- Ryan Kilpatrick – 238 Bristol Ave – Ottawa Housing Next Executive Director.
 - Appreciates the Township’s support to enable affordable housing opportunities.
 - Likely providing a smaller floor plan is the best long-term solution.
 - Expressed his thanks for their hard work and careful consideration.

XII. ADJOURNMENT

Without objection, the meeting adjourned at 8:43 pm.

Respectfully submitted,



Stacey Fedewa
Acting Recording Secretary



Community Development Memo

DATE: June 14, 2018

TO: Planning Commission

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

RE: French – Rezoning Application (SP to R-2)

BACKGROUND

The applicant, Karl French, requests to rezone his .95 acre parcel, 15281 Lake Michigan Drive (70-07-23-400-018), from Service Professional (SP) to Medium Density Residential (R-2).

The property was previously used for a hair salon (“*Snippers & Clippers*”), but the applicant’s desire is to remodel the structure back to a residential use. This requires the applicant to rezone to R-2 to ensure compliance with the intended use and meet the double lot width requirement.

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	RR	Single Family
South	RR	Single Family
East	RR	Single Family
West	AG	Agricultural



The 2016 Future Land Use Map has master-planned the subject parcel for Agricultural Preservation (AP), the applicant is requesting a rezoning to R-2. This would result in a less intensive use of the land compared to the current zoning.

The Future Land Use Map does not require a parcel to be rezoned directly to the master-planned district, which is AP in this case. Rather, the property can be systematically downzoned toward the desired district. In this case, the property is being downzoned from SP to R-2, which moves it closer to the ultimate desired use of AP.

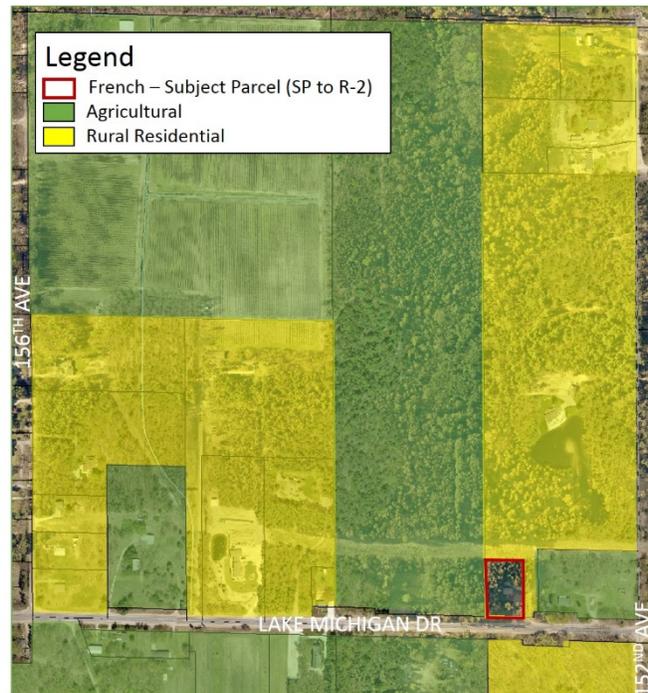
Furthermore, the R-2 district is being requested to comply with the double width requirement.

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 R-2 district:

- The purpose of the R-2 District is designed to be a restrictive residential district to encourage an environment of predominately low-density single-family dwellings, together with a minimum of other residentially related facilities and activities to serve the residents in 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 R-2 district should be supported by certain infrastructure features, including paved roads, natural gas, municipal water, and if available sanitary sewer. This parcel is accessed via a public paved road and utilizes 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 French rezoning application of parcel 70-07-23-400-018 from Service Professional (SP) to Single Family Residential (R-2) 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.

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 French rezoning application of parcel 70-07-23-400-018 from Service Professional (SP) to Single Family Residential (R-2) 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 French 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.

Clear Form

Print



REZONING APPLICATION

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

Applicant Information

Name French Properties 2 LLC
 Phone 616-638-5606 Fax 616-846-1441
 Address 14350 168th Ave Grand Haven, MI 49417
 Email Address karl@frenchhvac.com

Owner Information (If different from applicant)

Name _____
 Phone _____ Fax _____
 Address _____

Property Information

Address/Location 15281 Lake Michigan Dr West Olive MI 49460
 Parcel Number 70 - 07 - 23 - 400 - 018 Size (acres) .95
 Current Zoning Commercial Zoning Requested Residential
 Adjacent Zoning North: RR South: RR East: AG West: AG
 Master-Planned Zoning AG Preserve Consistent with Master Plan? _____

Other Information

Does Property Abut Township Border? No
 Present Use of the Subject Property? Hair salon/ Design center.
 Number & Type of Existing Structures? (2) House wood frame and accessory Shed
 Subject Property Located on a Paved Road? Yes
 Municipal Water within 2,700 Feet of Subject Property? No
 Municipal Sewer within 2,700 Feet of Subject Property? No

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.

Karl E. Tol
 Signature of applicant

5/23/18
 Date

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



Community Development Memo

DATE: June 14, 2018
TO: Planning Commission
FROM: Stacey Fedewa, Community Development Director
RE: Lincoln Pines – Discussion of Two Lots

BACKGROUND

As you are aware, the Lincoln Pines PUD was amended to include condominiums. Shortly thereafter, the developer approached an adjacent property owner to purchase the land and expand the development. The negotiations were successful, and the additional 20-acres is now under contract.

THE QUESTION

The developer provided a concept sketch of the proposed expansion, which includes a notable redesign. That will be reviewed by the Planning Commission in due time. The pressing question, that will assist with refining their final design has to do with two proposed lots along 144th Avenue.

Often these questions are handled through a pre-application process. However, the Township has met with this developer on numerous occasions and this is a very narrow question. Thus, staff offered to make the inquiry on their behalf.

