

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
DECEMBER 7, 2015

I. CALL TO ORDER

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

II. ROLL CALL

Members present: Kantrovich, LaMourie, Robertson, Kieft, Taylor, Gignac, Reenders, Cousins, and Wilson

Members absent: None

Also present: Fedewa and Attorney Bultje

Without objection, Kantrovich instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the November 2, 2015 meeting were approved.

V. CORRESPONDENCE

A. Christian Reformed Conference Grounds – Special Land Use Amendment

- Drueke – 12449 Jansma Drive
- Dudek – 12223 Bluewater Road
- Haveman – 12471 Jansma Drive
- Rop – 17633 Hillcrest Drive

B. Health Pointe – Planned Unit Development Amendment

- Rolfe – 13422 Greenleaf Lane
- Collins – by way of email, per Qualified Voter File, not a Township resident
- Kirchner – 16122 Vandenberg Drive
- Van Dyke – 17345 Mountain Plat Lane
- Weaver – 13840 Stearns Court

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Mark Reenders – 16616 Warner Street, opposes the Health Pointe PUD Amendment project for the following reasons:

- Questions compliance with the Zoning Ordinance. Requested the Planning Commission provide clarification on several items.

- Attorney Bultje and Fedewa addressed each item.
- Project has not been transparent.

Dan Hansen – 11001 Lakeshore Drive, opposes the Health Pointe PUD Amendment project for the following reasons:

- Project has not been transparent.
- Medical uses within the building have not been provided.
- Requested the Planning Commission delay the vote until neighboring municipalities have been able to study the impact of this project.

Jaclyn Hansen – 11001 Lakeshore Drive, opposes the Health Pointe PUD Amendment project for the following reasons:

- Medical uses within the building have not been provided. Recent journal article indicated there will be operating rooms.

Holly Lookabaugh-Deur – 16760 Lincoln Street, opposes the Health Pointe PUD Amendment project for the following reasons:

- Planning Commissions, past and present, are not applying the US-31 Area Overlay Zone consistently.

Ross Pope – 15526 Linn Court, Spring Lake, opposes the Health Pointe PUD Amendment project for the following reasons:

- Real estate demographic analysis found there are currently enough medical services provided for this community.
- Requested the Planning Commission consider the economic impact.

VII. PUBLIC HEARING

A. Special Land Use Amendment – Christian Reformed Conference Grounds

Kantrovich opened the Public Hearing at 7:49 p.m.

Fedewa provided an overview through a memorandum dated December 3rd.

Representative Michael Perton, Executive Director of the Christian Reformed Conference Grounds was present and available to answer questions:

- Michael Perton – Executive Director of the Christian Reformed Conference Grounds
 - Gave an overview of the proposed amendments to the master site plan.

- No lighting is proposed for the “GaGa Ball” court. Daytime use only. Structure would be removed/replaced seasonally.
- Contact has not been made with the electric company to determine if the proposed “GaGa Ball” court is permitted to locate within the 15 foot setback. Willing to move the court to a more centralized location.
- Gate along Beach Road is intended for emergency vehicle access and traffic control, so vehicles have a second exit location after the end of an event.

After the applicant’s presentation the Chairperson invited public comment:

- Thomas Dudek – 12223 Bluewater Road, opposes this project for the following reasons:
 - Development already at capacity, additional uses will continue to exacerbate noise and parking issues.
 - Patrons of the development have been parking on Beach Road and using the emergency gate to gain access.
 - Requested a screening fence be installed along Beach Road.
- Jim Haveman – 12471 Jansma Drive, opposes this project for the following reasons:
 - Since its inception the Conference Grounds have transitioned from a small campground to a commercial operation. Majority of revenue collected through facility rentals.
 - Campfire smoke continues to be problematic for health and the quiet enjoyment of a person’s property.
 - Requested the Planning Commission delay the application and require the applicant to meet with neighbors and find a resolution.

Kantrovich closed the Public Hearing at 8:03 p.m.

VIII. OLD BUSINESS

A. Special Land Use Amendment – Christian Reformed Conference Grounds

The application was discussed by Commissioners and focused on:

- Questioned if the “GaGa Ball” court would encumber any of the utility easements.
- Conference Ground patrons parking on Beach Road to gain access to the site is problematic. Discussed possible resolutions.
- Capacity and noise issues continue to be raised by neighbors.

- Health impacts from the campfire smoke are concerning.
- Questioned if the application should be denied because the State of Michigan has a goal of eliminating nonconforming uses and structures.
- Requested staff determine if propane sales on site are permissible.
- Commissioners requested Attorney Bultje address the legal aspects of this application:
 - Review of legal history.
 - 1982 Court denied the Township’s density limitation.
 - R-1 Zoning District allows public and private campgrounds as a Special Land Use, but the applicant has never obtained a SLU for its entire operation.
 - Section 19.07.46 of the Zoning Ordinance, Special Land Use for the Enlargement or Increase or Extension of a Non-Conforming Use is applicable in this case.

Motion by Reenders, supported by Gignac, to **approve** the Christian Reformed Conference Grounds Special Land Use Amendment Application to relocate Staff Cottage No. 20D and rotate Building 8, the Retreat Center. 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. **Which motion carried** with LaMourie opposing because the issue surrounding the south gate was not addressed.

Motion by Robertson, supported by Kieft, to **deny** the Christian Reformed Conference Grounds Special Land Use Amendment Application to install a “GaGa Ball” court for the following reasons:

1. The proposed use is inconsistent with the intent and purpose of the Zoning Ordinance.
2. The proposed use is of such location, size, density, and character that it is incompatible with adjacent uses of land and the orderly development of the district.
3. The proposed use is such that traffic to, from, and on the premises (*including parking*) and the assembly of persons in relation to such use may be hazardous, or inconvenient to the neighborhood, general character, and intensity of the existing and potential development of the neighborhood.

Which motion carried unanimously.

Motion by LaMourie, supported by Robertson, to request the Township Board consider enforcing Parking Ordinance No. 299 to address parking on Beach Road.
Which motion carried unanimously.

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 the Christian Reformed Conference Grounds (the “Applicant”) for approval of a Special Land Use Amendment application (the “Project”).

The Project will consist of relocating Staff Cottage No. 20D to avoid the overhead power lines and abide by the 15 foot setback requirement imposed by the electric company; and rotating Building 8, the Retreat Center. The Project as recommended for approval is shown on a final site plan, last revised 11/23/2015 (the “Final Site Plan”), presently on file with the Township.

1. The Planning Commission finds the Project meets the special land use requirements of Section 19.05 of the Zoning Ordinance. This approval is based on the affirmative findings that each of the following standards has been fulfilled:
 - A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.
 - B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.
 - C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.
 - D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.
 - E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.
 - F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.
 - G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to

main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.

- H. The proposed use is consistent with the health, safety, and welfare of the Township.
2. The Planning Commission finds the Project meets the special land use requirements of Section 19.07.46 of the Zoning Ordinance. This approval is based on the affirmative findings that each of the following standards has been fulfilled:
- A. The Project is reasonable based upon a consideration of the area of the original non-conforming use.
 - B. The Project shall not substantially interfere with the use of other properties in the surrounding neighborhood for the uses for which they have been zoned, or with the use of such other properties in compliance with the provisions of this Ordinance.
 - C. The Project shall not significantly compromise the ability of the Township to effectuate the goals and purposes of its Master Plan.
3. The Planning Commission finds 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 approves the Project based on the affirmative findings that each of the following standards has been fulfilled:
- 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 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.

- 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 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.

B. PUD Amendment – Health Pointe

LaMourie recused himself due to a conflict of interest. His employer is under contract to render architectural and engineering services for Spectrum Health.

Fedewa provided an overview through a memorandum dated December 3rd.

Several representatives from Spectrum Health and Nederveld were present and available.

The application was discussed by Commissioners and focused on:

- Commissioners requested Attorney Bultje address the legal aspects of this application:
 - Applicant requesting departures, not a variance. PUD Ordinance and US-31 Area Overlay Zone provide for some discretion if specific findings are made.
 - Zoning Ordinance limits the scope of factors the Township can consider for this application. So long as the general use of the building is permissible then each service does not have to be specified.
 - The Zoning Ordinance does not provide for the consideration of private competition or free enterprise as a reason to approve or deny an application. The Township's scope is limited by the Zoning Ordinance.
 - Review process of the Planned Unit Development Amendment is not fast. Provides for an optional pre-application presentation, which was utilized in September 2015. It requires a public hearing with the Planning Commission and Township Board, which are both noticed in conformance with the Michigan Zoning Enabling Act. Township Board will hold a public hearing on the application regardless of the Planning Commissions' recommendation.
 - The Planning Commission public hearing is more than is required by the Michigan Zoning Enabling Act.
 - The State of Michigan is responsible for issuing Certificates of Need. The application process addresses items such as duplication of services. It is not advisable for the Township regulate the medical uses within the building.
- Questioned if a medical professional office building is a permitted use within the Commercial PUD. Staff referenced the 2009 Master Plan's Future Land Use Plan, which indicates the SP-Service Professional and C-1 Commercial zoning districts correspond to the Commercial PUD zoning district.
- Resilient Master Plan process has been in progress for over one year, which has included many discussions of increasing building heights.
- Commissioners requested staff provide several pieces of information and updates:
 - Provided a list of properties within the Township that are over 35 feet in height.
 - Described each departure the applicant is requesting.
 - Noted the applicant will provide the Township with two easements to allow for an internal connection with a neighboring parcel and for the future realignment of Whittaker Way and DeSpelder Street.

- Applicant will add the additional access points between the parking lots and driveways to address the backloading issue.

Motion by Robertson, supported by Cousins to recommend to the Township Board **approval with conditions** of the Health Pointe Planned Unit Development Amendment upon the removal of Section 3.D.iii of the attached Report. 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. **Which motion carried** with Kieft opposing because the application does not meet requirements of the Zoning Ordinance.

REPORT

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 Health Pointe Corp (the “Developer”) for approval of a Health Pointe Planned Unit Development Amendment (the “Project” or the “PUD”).

The Project will consist of a 120,041 square foot three story medical office building. This 12 acre project will be located on the remaining five outlots from the original 1998 Meijer PUD. The Project as recommended for approval is shown on a final site plan, last revised 10/27/2015 (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 Health Pointe PUD Amendment be approved as outlined in this 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 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 department.
- H. All streets and driveways are developed in accordance with the Ottawa County Road Commission (“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.
- 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 Final Site Plan conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

- N. 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, 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 of the Zoning Ordinance allows for departures from Zoning Ordinance requirements, and it is intended to result in land use development that is substantially consistent with the goals and objectives of the Township Master Plan, the Zoning Ordinance, and consistent with sound planning principles. The applicant requested five departures. The Planning Commission makes the following findings.
 - A. A building height of 54' 10" is permitted because of the following findings.
 - i. The Resilient Master Plan Draft encourages vertical expansion to reduce sprawl and limit the cost of extending infrastructure.
 - ii. The Grand Haven Charter Township Fire/Rescue Department has an emergency vehicle with the ability to exceed the proposed building height.
 - iii. Section 17.05.2.A.2 requires mechanical equipment to be visually screened from adjacent properties, public roadways, or other public areas.
 - iv. The Township has approved height departures for previous PUDs.
 - B. A total of 590 parking spaces, which is 106 spaces more than allowed by the US-31 and M-45 Area Overlay Zone (the "Overlay Zone"), is permitted because of the following findings.
 - i. Sections 15A.05.13, 15A.10.10, 17.05.1.F, and 24.03.1 require a maximum number of parking spaces unless the applicant provides a parking study that demonstrates the need for additional parking. The Developer has an established history with similar developments which establishes the need for additional parking, and has submitted a parking study to further establish the need.
 - ii. Outside of the Overlay Zone this project would have been permitted 1,200 parking spaces.
 - iii. The excess parking will not be highly visible from US-31.
 - C. Three ground signs, each 48 square feet in size and six feet in total height, are permitted because of the following findings.
 - i. The original Planned Unit Development approval memorialized in the March 9, 1998 Township Board meeting minutes permits one monument (ground) sign for each outlot, not to exceed 52 square feet and five feet in

- height, subject to review by the Planning Commission for location. This PUD Amendment comprises five of the six outlots.
- ii. The three permitted ground signs reduce the amount of signage permitted under the 1998 PUD by 116 square feet.
 - iii. A total height of six feet is permitted under Section 24.13 of the current Zoning Ordinance.
- D. A departure from 15A.10.7 of the Zoning Ordinance, which requires concrete curb and gutter throughout the parking lot and paved areas, is denied.
- i. The Planning Commission has consistently required curb and gutter throughout the parking lot and paved areas of developments in the Overlay Zone.
 - ii. As required by Section 15A.10.7, the Developer did not provide compelling evidence to find that overall stormwater disposition will be enhanced if the curbing requirement is reduced.
- E. Interior landscape islands shall be permitted to extend the length of the parking space, contrary to Section 15A.10.5 of the Zoning Ordinance, because of the following findings.
- i. Aesthetics to the surrounding area will be enhanced because the interior landscape island will screen the entire length of the parking space.
 - ii. The parking spaces surround sides of the building, and each abut a private road or access road. Due to the high visibility of this parking lot this departure is approved in order to provide additional screening from adjacent roadways.
 - iii. This provision has not been uniformly enforced by the Township for other development projects in the Overlay Zone.
4. Compared to what could have been constructed by right, the Project has been designed to accomplish the following objectives from Section 17.01.4 of the Zoning Ordinance.
- A. The Project will encourage the use of land in accordance with its natural character and adaptability;
 - B. The Project will promote innovation in land use planning and development;
 - C. The Project will promote the enhancement of commercial employment and traffic circulation for the residents of the Township;
 - D. The Project will promote greater compatibility of design and better use between neighboring properties; and

- E. The Project will promote more economical and efficient use of the land while providing harmonious integration of necessary commercial and community facilities.
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 PUD design substantially promotes the Intent and Objectives of Section 17.01 of the Zoning Ordinance; it further permits an improved layout of land uses and roadways that could not otherwise be achieved under normal zoning.
 - C. The Project, as part of the original 1998 PUD, contains two or more separate and distinct uses.
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), and the deviation from Section 15A.10.10 is covered elsewhere in this motion.
 - 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 Final Site Plan.
 - I. Architectural design features visually screen the mechanical and services areas

from adjacent properties, public roadways, and other public areas.

- J. The exterior walls greater than 50 feet in horizontal length or that can be viewed from a public street contain a combination of architectural features, variety of building materials, and landscaping near the walls.
 - K. Onsite landscaping abuts the walls so the vegetation combined with architectural features significantly reduce the visual impact of the building mass when viewed from the street.
 - L. The predominant building materials have been found to be those characteristic of the Township such as brick, native stone, and glass products. Pre-fabricated metal panels used to screen the mechanical penthouse do not dominate the building exterior of the structure.
 - M. 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.
 - N. The Project is reasonably compatible with the natural environment of the site and the adjacent premises.
 - O. 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.
 - P. Exterior lighting within the Project complies with Chapter 20A for an LZ 3 zone.
 - Q. Outside storage of materials shall be screened from view.
 - R. Signage is compliant with Section 24.13 of the Zoning Ordinance, and the Planning Commission recommended the Township Board approve a modification to the sign provisions found in the March 9, 1998 meeting minutes of the original PUD.
 - S. 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.
 - T. 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.
 - U. No additional driveways onto public roadways have been permitted.
 - V. The Project is consistent with the goals and objectives of the Master Land Use Plan. Specifically, it is consistent with the Master Plan designation of the property in question.
7. The Planning Commission also finds the Project complies with the Overlay Zone findings and statement of purpose found in Section 15A.01 of the Zoning Ordinance.

- A. The Project accommodates a variety of uses permitted by the underlying zoning, but ensures such uses are designed to achieve an attractive built and natural environment.
 - B. The Project provides architectural and site design standards that are more demanding than required elsewhere in the Township in order to promote harmonious development and complement the natural characteristics in the western sections of the Township.
 - C. The Project promotes public safety and efficient flow of vehicular traffic by minimizing conflicts from turning movements resulting from the proliferation of unnecessary curb cuts and driveways.
 - D. The Project ensures safe access by emergency vehicles.
 - E. The Project encourages efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.
 - F. The Project preserves the capacity along US-31 and other roads in the Overlay Zone by limiting and controlling the number and location of driveways, and requires alternate means of access through service drives.
 - G. The Project seeks to reduce the number and severity of crashes by improving traffic operations and safety.
 - H. The Project requires coordinated access among adjacent lands where possible.
 - I. The Project provides landowners with reasonable access through a service drive.
 - J. The Project requires demonstration that prior to approval of any land divisions, the resultant parcels are accessible through compliance with the access standards.
 - K. The Project preserves woodlands, view sheds, and other natural features along the corridor.
 - L. The Project ensures that distractions to motorists are minimized by avoiding blight and clutter while providing property owners and businesses with appropriate design flexibility and visibility.
 - M. The Project implements the goals expressed in the US-31/M-45 Corridor Study.
 - N. The Project establishes uniform standards to ensure fair and equal application.
 - O. The Project addresses situations where existing development within the Overlay Zone does not conform to the standards.
 - P. The Project promotes a more coordinated development review process with the OCRC.
8. The Planning Commission also finds the Project complies with the conditions of approval described in the March 9, 1998 Township Board meeting minutes for the

original PUD, which conditions are still applicable to the Project, and it shall comply with the below additional conditions as well.

- A. Outlot development was subjected to site plan review.
- B. Parking lots are setback a minimum of 25 feet.
- C. Outlot has architectural materials and landscaping compatible with that of the principal Meijer facility and site.
- D. Location of monument (ground) signs have been approved.
- E. Monument (ground) signs do not exceed 52 square feet.
- F. Monument (ground) sign has a maximum height of six feet as permitted by Section 24.13 of the current Zoning Ordinance.
- G. Revisions or changes to the conditions are made by the Township Board after a public hearing. These conditions are binding upon the Developer and all successor owners or parties in interest in the Project.
- H. Drainage for the Project is approved by the OCWRC.
- I. Any violation of the conditions constitute a violation of the Zoning Ordinance, and in addition to the remedies provided therein, shall be cause for the Township Board to suspend or revoke any zoning or building permit applicable to the project.
- J. The right is reserved by the Township to impose additional conditions if reasonably necessary to achieve the purposes of the Zoning Ordinance.
- K. The PUD approval is personal to the Developer and shall not be transferred by the Developer to a third party without the prior written consent of the Township.
- L. Except as expressly modified, revised or altered by these conditions the Project shall be acquired, developed and completed in conformance with the Zoning Ordinance, as amended, and all other applicable Township ordinances.
- M. Approval and compliance with all requirements set forth by the OCRC, and if applicable the OCWRC. No building permits shall be issued until all permits have been obtained.
- N. The Developer shall enter into a PUD Contract with the Township. The Contract shall be reviewed and approved by the Township Board prior to the issuance of building permits.
- O. The Developer shall agree to an access easement to the Township for the purpose of realigning the north end of Whittaker Way directly with DeSpelder Street pursuant to the Robbins Road Sub-Area Plan. The Developer shall preliminarily identify the easement area on the Final Site Plan, and the easement shall be

drafted by the Township Attorney and approved by the Township Board prior to the issuance of building permits.

- P. This approval is also conditioned upon the Developer meeting all applicable Federal, State, County and Township laws, rules and ordinances.
- Q. The Developer shall comply with all of the requirements of the Final Site Plan, specifically including all of the notes contained thereon, and all of the representations made in the written submissions by the Developer to the Township for consideration of the Project.
- R. The parking areas in the Project shall be “backloaded,” which means that the Final Site Plan shall be revised to allow vehicles to enter or leave the parking areas as far from the building in the Project as possible.
- S. In the event of a conflict between the Final Site Plan and these conditions, these conditions shall control.

IX. REPORTS

A. Attorney Report – None

B. Staff Report

- Community Engagement Subcommittee – Dec 10th @ 7pm in the Main Conference Room
- Resilient Grand Haven Master Plan – Public Comment Period Ends Dec 22nd

C. Other

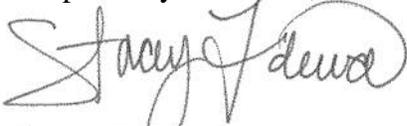
- Commission directed staff and Attorney Bultje begin implementing the draft Resilient Master Plan by drafting text amendments to address greater building heights, and parking requirements, in the Zoning Ordinance.

X. EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY – None

XI. ADJOURNMENT

Without objection, the meeting adjourned at 9:17 p.m.

Respectfully submitted,



Stacey Fedewa

Acting Recording Secretary