I. Call to Order

II. Roll Call

III. Pledge to the Flag

IV. Approval of the March 21, 2022 Planning Commission Meeting Minutes

V. Correspondence

VI. Brief Public Comments & Questions (Limited to 3 minutes)

VII. Public Hearings:
   A. Removal from STR Overlay – Rezoning – Terry Trails Subdivision
   B. Special Land Use – Group Day Care - Hecksel

VIII. Old Business
   A. Removal from STR Overlay – Rezoning – Terry Trails Subdivision
   B. Special Land Use – Group Day Care - Hecksel

IX. New Business
   A. Site Plan Review – MACkite - Building Addition
   B. STR Overlay - Update - Polak
   C. Pre-Application Update – Eastbrook Homes – Proposed Development

X. Reports
   A. Staff Report
   B. Commissioner Comments

XI. Extended Public Comments & Questions (Limited to 4 minutes)

XII. Adjournment
MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
MARCH 21, 2022

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

II. ROLL CALL
Members present: Wilson, Hesselsweet, Reenders, Mesler, Chalifoux, Cousins, Lemkuil, Wagenmaker and Taylor
Members absent: None
Also present: Senior Planner Thibault and Associate Planner Hoisington

Without objection, Wilson instructed Hoisington to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES
Without objection, the minutes of the March 7, 2022 meeting were approved.

V. CORRESPONDENCE
Brook Oosterman - Director of Policy and Communications - Housing Next
- Supportive of the Eastbrook/Reenders development.
- Noted the need for housing at all price points in NW Ottawa county, benefiting the current and future residents.

VI. PUBLIC COMMENTS
Laura Jahsen — 15155 163rd Ave., Grand Haven
- Opposed to Eastbrook/Reenders proposal as a high density residential development.
- Proposed possible alternate road connections to surrounding neighborhoods.

Jessie Brunink — 15130 Mitchell St., Grand Haven
- Requested alternate traffic connections to reduce impact on local roads.
- Preferred a medium density development at the Eastbrook/Reenders site.
- Shared concerns about ponds.

Erin Purdey — 15105 163rd Ave., Grand Haven
- Parent of a child with special needs, shared concern over increased traffic and ponds as a water hazard.
• Preferred a medium density development at the Eastbrook/Reenders site.

VII. PUBLIC HEARING
  A. Addition to STR Overlay – Rezoning –Polak

  Wilson opened the hearing at 7:11pm.

  Thibault provided an overview through a memorandum dated March 17th.

  Chris Davis — 1317 Marion Ave., Grand Haven
  • Provided a memo stating the short term and long term rental history of the property.

  There being no further comments, Wilson closed the hearing at 7:17pm.

  B. Removal to STR Overlay – Sunset Hills

  Wilson opened the hearing at 7:17pm.

  Thibault provided an overview through a memorandum dated March 17th.

  Charles Rop – 17633 Hillcrest Ave., Grand Haven
  • Explained the Sunset Hills HOA unanimously agreed to prohibit short term rentals as part of the HOA’s restrictive covenants.

  There being no further comments, Wilson closed the hearing at 7:20pm.

VIII. OLD BUSINESS
  A. Addition to STR Overlay – Rezoning –Polak

  The Planning Commission noted the following points of discussion:

  • Noted a lengthy rental history without known complaints.
  • Questioned staff regarding the location of the property being outside of the guidelines for properties in the Short Term Rental Overlay Zone to be Lake Michigan Waterfront.
    o Supportive of this specific request, but hesitant to set a precedent.

  Motion by Reenders, supported by Hesselsweet, to recommend the Township Board conditionally approve the rezoning application for 14651 Mercury Dr. to be included in the Short Term Rental Overlay Zone on the basis of the application meeting the standards of the Short Term Rental Ordinance and the following standards:

    1. Clarification of short term rental regulations as provided by Attorney Bultje.

  Which motion carried unanimously.
B. Removal from STR Overlay – Sunset Hills

The Planning Commission noted the following points of discussion:

- Expressed support for the request.

**Motion** by Wagenmaker, supported by Taylor, to recommend the Township Board **approve** the rezoning application for Sunset Hills/Sunset Terraces Association to be removed from the Short Term Rental Overlay Zone based on the application meeting the standards of the Short Term Rental Ordinance.

*Which motion carried unanimously*

IX. NEW BUSINESS

A. Site Plan Review – American Dunes Golf Club

Thibault provided an overview through a memorandum dated March 17th.

The Planning Commission noted the following points of discussion:

- Expressed support for the improvement.
- Noted the need for restrooms in the proposed locations.

**Motion** by Cousins, supported by Chalifoux, to **conditionally approve** the Site Plan Review application for a pair of outdoor restroom facilities for American Dunes Golf Club located at 17000 Lincoln Street based on it meeting the requirements set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report. Approval is conditioned upon the following:

1. Must install a fire extinguisher in compliance with the International Fire Code, Section 906 and NFPA 10.

*Which motion carried unanimously*

**REPORT – SITE PLAN REVIEW – NEW RESTROOMS – AMERICAN DUNES GOLF CLUB**

1. The application meets the site plan review standards of Section 18.07.G 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. 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. Fences, walls, barriers, and/or 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 Township Subdivision Control Ordinance, the Ottawa County Road Commission and/or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in the codified ordinances of the Township.

I. Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Planning Commission, that they are not necessary for pedestrian access or safety.

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. Lighting is minimized to reduce light pollution and preserve the rural character of the Township.

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 conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

O. As appropriate, fencing has been required by the Planning Commission around the boundaries of the development to minimize or prevent trespassing or other adverse effects on adjacent lands.

P. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

B. Pre-Application – Eastbrook Homes – Reenders Property

Thibault provided an overview through a memorandum dated March 17th.

Mike McGraw, owner of Eastbrook Homes provided the following information:

- Reduced density of the development based on prior discussion with the Planning Commission and staff.
- Explained higher density housing in the development is located near industrial land, mobile home park, and city workforce housing project.
- Higher density housing allows for lower priced housing products and housing variety for different types of households.
• Explained open space would consist of community parks, linear walking parks, tree buffer zone, and pond access area.

• Provided examples of typical floor plans and photos of similar homes in other communities, noted options for customizations.

The Planning Commission noted the following points of discussion:

• Conversation regarding the appropriate density for the site. Noted the decrease from the previous submittal but exceeds what the underlying R-2 Zoning District allows in a traditional development.

• Acknowledged the impact of increased construction costs and effect on proposed development pricing.

• Shared concerns regarding impact of increased traffic generation on adjacent neighborhoods—direction to applicant to perform a traffic study.

• Discussed proposed open space—direction to elaborate on plan details for community and linear parks. Concern that pond access area is not universally accessible, direction to widen access path. Supportive of a tree buffer, discussion on whether to include the buffer area as part of the lot area as a restrictive covenant.

• Direction from a majority of Commissioners to base the proposed density and parallel plan on the underlying R-2 zoning district lot requirements, not a mixed R-2/R-3 as proposed.

C. Pre-Application – Lakeshore Flats Expansion

Thibault provided an overview through a memorandum dated March 17th.

Terry Nash of Capstone Capital provided the following information:

• Existing development has been successful and is looking to expand to adjacent parcel.

• An increased demand for studio units is reflected in proposal.

• New housing would have access to all amenities in existing development.

• Developer does not want to provide shared access to adjacent parcel at this time.

The Planning Commission noted the following points of discussion:

• Supportive of the proposed expansion.

• Positive feedback on proposed park improvements.

• Curious if the adjacent parcel to the south would be included in the development.

X. REPORTS

A. Staff Report – None

B. Commissioner Comments
• Taylor noted the changes from the previous Eastbrook proposal. Agreed direction from the Planning Commission to reduce the density and take neighborhood into account, but at that time was not a strong consensus to build to a standard R-2 density. Concerned that lower density housing drives pricing up and may restrict the population able to reside in the Township.

• Commissioners explained preference for mixed density housing in other locations away from existing neighborhoods where a smaller number of people may be impacted.

XI. EXTENDED PUBLIC COMMENTS - None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 9:47p.m.

Respectfully submitted,

Cassandra Hoisington
Acting Recording Secretary
Community Development Memo

DATE: April 12, 2022
TO: Planning Commission
FROM: Rory Thibault – Senior Planner
RE: STR Overlay – Terry Trails

BACKGROUND

The applicant, Mandy Johnson, President of the Terry Trails Association is requesting to exclude their properties from the Short Term Rental (STR) Zoning Overlay. The Association has adopted an amendment to their bylaws restricting Rentals to have a minimum rental duration of 30 days. The Township is not required to change any land use designations based on an Association’s bylaws — but can elect to do so, if the Township agrees with their decision.

The request for removal from the STR Overlay Zone is in line with the agreed upon Short-Term Rental approach established by the Township Board in November.

This rezoning consideration follows the first of a three-prong approach, with respect to establishing a Rental Regulation Ordinance and corresponding map. The criteria for the inclusion of properties, and accompanying provisions for the inclusion of additional properties into the STR Overlay Zone, are the according to the following points.

✓ STRs are not allowed in traditional neighborhoods nor subdivisions
✓ STRs are prohibited in areas that are not adjacent to Lake Michigan and whose members have testified against STRs
✓ Consideration for additional properties will be based on proving a lengthy rental history without corresponding complaints.
This Public Hearing is in alignment with all rezoning requests. Absent any public comments requesting properties to remain in the STR Overlay zone, Staff are supportive of removing the properties located in the Sunset Hills/Sunset Terraces Association from the STR Overlay Zone in alignment with the newly adopted bylaws.

**SAMPLE MOTIONS**

If the Planning Commission finds the rezoning application meets the standards, the following motion can be offered:

**Motion** to recommend the Township Board **approve** the rezoning application for 14341 Duneswood Drive (70-07-05-201-003); 14323 Duneswood Drive (70-07-05-201-009); 14291 Terry Trails (70-07-05-201-010); 14255 Terry Trails (70-07-05-201-015); 0 Cricklewood Drive (70-07-05-201-016); 14367 Duneswood Drive (70-07-05-201-019); 14279 Terry Trails (70-07-05-201-020); and 14267 Terry Trails (70-07-05-201-021); within the Terry Trails Association to be removed from the Short Term Rental (STR) Overlay Zone based on the application meeting the standards of the Short Term Rental Ordinance.

Please contact me prior to the meeting if you have questions.
Hello Mr. Thibault,

In cross checking our member list, the following homes on the lakeshore are members of the Terry Trails Association:
14367 Duneswood, Janice Veenstra
14341 Duneswood, Todd & Nance Amberger
14323 Duneswood, Tom & Jill Maatman
14291 Terry Trails, Malcolm Blissett
14279 & 14267 Terry Trails, Tom & Barb Jackoboice
14255 Terry Trails, Bud & Charyn Hoffman

Ms. Borvansky - parcel: 70-07-05-201-016 is the only lot in the geographical area who is not a member of the association.

Can you please let me know which of these properties are in the overlay map so I can give the residents a heads up, the copy I observed in November was difficult to read.
Thanks!
Mandy Johnson

On Mar 30, 2022, at 11:08 AM, Rory Thibault <rtihault@ght.org> wrote:

Good morning Ms. Johnson,

Per your letter to Manager Cargo last year:
Township Staff are processing your request for the removal of the remaining properties within the Terry Trails Association from the Short Term Rental Overlay Zone.
- Since this is Rezoning the parcels that process will be followed; a public notice and mailings will be sent out and a Public Hearing will be held at a Planning Commission meeting in the future.
- I will provide an update for when exactly this meeting will happen, such that you are invited to attend, and able to answer any questions the Commission may have.
- Following the Public Hearing and pending a motion for approval it would be brought to the Township Board for a 1st and 2nd Reading, with due public Notices, if a resolution is approved.

To assist Staff in the preparation of the memo for the Planning Commission, can you please provide a map of all the properties in Terry Trails Association.
- Staff noted in the review of your request, that not all of the properties in question are platted lots within the Sumner Terry Subdivision.
Note the subject properties include: Veenstra @ 14367 Duneswood on the North to Ms. Borvansky 70-07-05-201-016 on the South as unplatted
  - 14231 and 14229 Cricklewood are already excluded from the STR Overlay Zone as they are platted lots in the Sumner Terry Subdivision

Please let me know if you have any questions.
Sincerely,

Rory Thibault
Senior Planner at Grand Haven Charter Township

Phone 616-604-6319
Web www.ght.org   Email rthibault@ght.org
13300 168th Avenue, Grand Haven, MI 49417
November 24, 2021

William Cargo  
Grand Haven Charter Twp. Supv.  
1330 168th Ave  
Grand Haven, MI 49417

Hello Mr. Cargo,

Mr. Hesselsweet informed me the Township is working on an ordinance change to include short term rentals and that Terry Trails Association is included in areas being approved for STR. Our association bylaws state the minimum rental duration is 30 days. For this reason, I ask That Terry Trails Association properties be removed from areas being approved for STR. This includes Properties from Janice Veenstra at 14367 Duneswood St. on the north to Ronda Ruscett at 14229 Cricklewood St. on the south.

Warm Regards,

Mandy Johnson  
President  
Terry Trails Association
Good afternoon Mr. Koerner,

Please see below for my remarks in “red.”
Hopefully this helps clarify things.

Sincerely,
Rory Thibault
Senior Planner at Grand Haven Charter Township

From: Rory Thibault  
To: Jim G Koerner  
Subject: RE: Public Notice - Rezoning of the Properties in Terry Trails  
Date: Thursday, April 7, 2022 2:16:00 PM

Rory,

Thank you for the quick response. I read the letter and your response multiple times. What I read is you’re removing six properties in Terry Trails from the STRs Overlay Zone to align with the rest of the properties in the subdivision that are not part of STRs Overlay Zone.

- Correct

I think this means you can only rent for over 28 days or more (which I’m OK with)? I’m confused about the 6 – 14 day statement and think that clause is only tied to STRs.

- Per the adopted Short Term Rental Regulation Ordinance:
  - Limited Short-Term Rentals are permitted by right in all zoning districts because of the time limitations that are placed on them
    - The 6-14 Day determination was made:
      - Because, (per the IRS) if a person uses a dwelling as a home but rents it 15 days or more, then the person must report the rental income.
        - If it is used less than that, there is no need to report rental income from the activity.
        - Therefore, it would not be considered a commercial use in a residential area and conflict with our Zoning Ordinance.
      - Because the Township determined 14 days or less of rental during a year would not likely change the character of the neighborhood, and thus
could be allowed as a matter of right.
- Complaints can still be filed with the Township.
- Any rental periods less than 6 days are prohibited both in the STR Overlay Zone and everywhere in the Township.

Sorry for the questions and look forward to your response.

Adient – INTERNAL

From: Rory Thibault <rthibault@ght.org>
Sent: Wednesday, April 6, 2022 2:18 PM
To: Jim G Koerner <jim.g.koerner@adient.com>
Subject: RE: Public Notice - Rezoning of the Properties in Terry Trails

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Mr. Koerner,
Please see below for my remarks in “red.”
Please let me know if you have any questions.
Sincerely,

Rory Thibault
Senior Planner at Grand Haven Charter Township

Phone 616-604-6319
Web www.ght.org  Email rthibault@ght.org
13300 168th Avenue, Grand Haven, MI  49417

From: Jim G Koerner <jim.g.koerner@adient.com>
Sent: Tuesday, April 5, 2022 6:31 PM
To: Rory Thibault <rthibault@ght.org>
Subject: Public Notice - Rezoning of the Properties in Terry Trails

Rory,

I received your letter and have a question. Are you saying the homes mentioned in the letter that are on the lakeshore are being rezoned so they cannot be rented short term?

- Yes, that is correct.
  - The platted lots in the Sumner Terry Subdivision are already excluded from this zone.
  - The parcels mentioned in the letter are not platted, but located within the Association, and therefore were still eligible.

Can you define short term?
**STRs are only permitted within the Overlay Zone.**

- They are defined by rental periods of 6-28 days.
- Any rental occurring for less than 6 days is prohibited.

**Limited Short Term Rentals are permitted by right everywhere in the Township and do not require a Special Land Use application:**

- Defined as: The rental of any Dwelling for any one (1) or two (2) rental periods of at least six (6) days but not more than fourteen (14) days, not to exceed fourteen (14) days total in a calendar year.

What is the consequences if they do a short term rental – fine, etc.? My only exception to this is if someone takes a transfer for 6 – 12 months and wants someone in the house to watch over things.

**The adoption of the Short Term Rental and Rental Regulation Ordinances, along with the STR Overlay Zone and map are part of a multi-step process in regulating rentals in the Township**

- We are in the process of adopting a Rental Inspection Ordinance to ensure compliance with the International Property Maintenance Code
- Approved Short Term Rentals still have to meet performance criteria according to the Special Land Use, to ensure the safety and welfare of the occupants and ensure compliance with Township regulations
- Illegal rentals are currently being enforced through the Township attorney and the Township is drafting Ordinance language for how enforcement is to occur in the future

**Long-term Rentals (defined as rental periods over 28 days) are an allowable use.**

- So a month-to-month or year-long rental is permissible. No additional registration is required.

If this is the intent of the rezoning is to prevent short term rentals including one month or less, my wife and me are 100% in favor of this. We have tried to strengthen the wording in our neighbor charter to also prevent this, but you carry a much bigger stick.

I look forward to your response.

James G. Koerner, CPM & CPIM
Director Purchasing
Jim.g.koerner@adient.com
616-283-0967 (Mobile)
Community Development Memo

DATE: April 14th, 2022
TO: Planning Commission
FROM: Cassandra Hoisington, Associate Planner
RE: Special Land Use – Group Day Care Home – Hecksel

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**PROPERTY DETAILS**

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Parcel Number</th>
<th>Parcel Size</th>
<th>Application Type</th>
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<tbody>
<tr>
<td>17766 Brucker St</td>
<td>70-03-32-400-058</td>
<td>1.13 acres</td>
<td>Special Land Use</td>
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**Existing Zoning**

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<th>Existing Land Use</th>
<th>Existing Infrastructure</th>
<th>Existing Site Improvements</th>
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<tr>
<td>R-1</td>
<td>Single Family + Family Day Care</td>
<td>Municipal Water Paved Roadway</td>
<td>Single Family Dwelling Attached Garage Small Shed</td>
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**Master-Planned Zoning**

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<tr>
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</tr>
<tr>
<td>W</td>
<td>R-1</td>
<td>Single Family</td>
</tr>
</tbody>
</table>

**PROPOSED SPECIAL LAND USE**

The applicant, Jade Hecksel, currently operates a state-licensed family day care facility in her home. This classification allows 1 – 6 children under her care. Hecksel is requesting to expand her business to a state-licensed group day care home, which would allow a total of 7 – 12 children.

Part of the process the State of Michigan requires is the applicant receiving a special land use approval from the local government prior to approving the elevated license to allow additional children.
SPECIAL LAND USE REQUIREMENTS

The State of Michigan and Michigan Zoning Enabling Act (MZEA) are very clear that if certain provisions are met the local government is required to issue the permit. There are limited land uses the State of Michigan and MZEA have this type of control over, so it is important to be aware. Basic requirements include:

1. Home cannot be located closer than 1,500 feet from any of the following (this is reviewed by the State prior to their issuance of a license):
   - Adult foster care homes, substance abuse and treatment centers, correction centers, halfway homes, and similar facilities.
   - None present
2. Must comply with other GHT ordinances, including signage.
   - None proposed.
3. Must provide adequate parking for the homeowner and employees.
   - One employee will continue to use the existing parking available in the driveway.

SAMPLE MOTIONS

If the Planning Commission finds the application meets the standards, the following motion can be offered:

Motion to approve the Special Land Use application to allow Group Day Care Home at 17766 Brucker Street. This approval is based on the application meeting the standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report.

If the Planning Commission finds the application is in need of revisions before a determination can be made, the following motion can be offered:

Motion to table the Special Land Use application, and direct the applicant to make the following revisions:

1. List the revisions.

REPORT OF FINDINGS (TO BE USED WITH A MOTION FOR APPROVAL)

1. This approval is based on the affirmative findings that each of the following standards of Section 12.04 have 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 and assembly of people relating to the use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with normal traffic of the neighborhood.

H. The proposed use is consistent with the health, safety, and welfare of the Township.

I. 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.

2. The application meets the site plan review standards of Section 18.07.G 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. 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. Fences, walls, barriers, and/or 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 Township Subdivision Control Ordinance, the Ottawa County Road Commission and/or Michigan Department of Transportation
specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in the codified ordinances of the Township.

I. Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Planning Commission, that they are not necessary for pedestrian access or safety.

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. Lighting is minimized to reduce light pollution and preserve the rural character of the Township.

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 conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

O. As appropriate, fencing has been required by the Planning Commission around the boundaries of the development to minimize or prevent trespassing or other adverse effects on adjacent lands.

P. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.
SPECIAL LAND USE APPLICATION

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<tr>
<th>Application Type</th>
<th>Fee</th>
<th>Escrow*</th>
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<td>Main Extension</td>
</tr>
<tr>
<td>Lift Station</td>
</tr>
</tbody>
</table>

Procedural information is included with this application. The remaining provisions can be found at www.ght.org/zoning.

Applicant Information
Name: Jade Hecksel
Phone: 704.288.9176
Address: 17766 Brucker St, Grand Haven, MI 49417
Email Address: NORWEXGRANDHAVEN@GMAIL.COM

Owner Information (If different from applicant)
Name: 
Phone: 
Email: 
Address: 

Property Information
Address/Location: 17766 Brucker St, Grand Haven, MI 49417
Parcel Number: 70-03-2.2-400-058
Size (acres): 1.14
Current Zoning: RES
Master-Planned Zoning: 

Description of Proposed Use/Request (attach additional pages as needed)
Current In home daycare with max of 10 children in care transitioning to group child care home with max of 12 children in care.

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapters 12 and 18 of the Zoning Ordinance.

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

Signature of applicant: [Signature]
Date: 3/1/22

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

** If approval of this application requires/includes the extension of a municipal utility, an additional $5,000 escrow fee shall be required, and an additional $2,000 escrow fee shall be required for the installation of a lift station.
STATE OF MICHIGAN
MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
License for the Care of Children

Facility Name: Eat Play Love
17766 Brucker
Grand Haven, MI 49417

Licensee: Jade Hecksel
17766 Brucker
Grand Haven, MI 49417

LICENSE NUMBER
DF700389506
EFFECTIVE DATE
08/21/2021

CAPACITY
6
EXPIRATION DATE
08/20/2023

STATUS
REGULAR

Ms. Hoisington,

My wife Mary and I are writing regarding the written notice we received regarding the potential expansion of Ms. Hecksel's daycare at 17766 Brucker Street.

As the direct neighbor to this property, the increased number of children, subsequent required staffing ratios, parking, increase in traffic (morning and evening) and yard clutter is a concern to our residential neighborhood.

Attached you will see a current view of the yard clutter with less than half of the proposed children. This is taken from our deck in our backyard, so any additional children would surely add to this.

We wish Ms. Hecksel nothing but the best in her business endeavors, but the size, location and overall scope of her operation is a concern to us as the blending of a business and residential space is not ideal.

Should you have any questions regarding this matter do not hesitate to contact me directly.

Warm regards,

Mario

Mario D. Kyriakides, MA, SHRM-SCP
517.712.5390
Community Development Memo

DATE: April 15, 2020

TO: Planning Commission

FROM: Rory Thibault – Senior Planner

RE: Site Plan Review – MACkite – Expansion

BACKGROUND

As you may recall, the owners of MACkite have a standalone business location selling kitesurfing and other related water equipment. They acquired the existing warehouse located at 16881 Hayes St. in 2015 to store and distribute their merchandise through online retail sales. The existing building also includes offices for their electric scooter business. An addition is proposed at this current warehouse.

The property is zoned Industrial. The site is 2.54-acres with an existing 12,880± sqft warehouse. There is also an additional building and truck dock located to the north of the existing warehouse that are slated for demolition.

The proposed 14,620± sqft addition on the North side of the building would provide additional warehousing for the online Watersports and electric bike sales. As described by the applicant: the drive expansion, parking lot and storm water basins bring the project up to the standards of the current Zoning Ordinance. Further, a new Fire Suppression System will be installed in the entire building.
STAFF REVIEW

Planning & Zoning

Planning Staff have completed a review of the revised site plans. A couple of outstanding items will have to be finalized before full approval.

- The rear parking lot must show compliant landscaping around all 4 sides.
- Diversify the native tree and shrub species and plant in a natural arrangement is preferred to encourage pest resistance and visual interest
- The seed mix areas must be properly installed and maintained in order to ensure their long-term health and vitality
- “Natural connections” is not a real company, revise to “native connections”
- Replace “dry-mesic pollinator seed mix” for Zone 3&4 in Stormwater basin to “wet-mesic pollinator seed mix”
  - Is the Planning Commission ok with forbs and grasses to be established as seeds rather than plugs? Minimum sizes only apply to Trees and Shrubs currently
- Ensure adequate tree protection for existing trees on site, so soil is not compacted by construction equipment
- Light levels to be verified, information was provided late
- Light fixture to be verified as full cut-off
- Parking amount shown (37) deviates from requirements (92).
  - The applicant has requested a reduction in parking spaces due to expected number of employees and customers.
  - Is the Planning Commission acceptable to this amount?

F/R & DPW

Completed a review of the revised site plans. A couple of outstanding items will have to be finalized before full approval.

- Show sprinkler system connection location and compliant size on utility drawing
- Must conduct a flow test on the existing water main running north on the property off of Hayes Street.
  - Demonstrate ability to meet system demand of the designed sprinkler system + any other system demand (i.e. fire department suppression use)
If the Planning Commission finds the application meets the standards, the following motion can be offered:

**Motion to conditionally approve** the MACkite Site Plan Review application for an addition located at 16881 Hayes St. based on it meeting the requirements of the Zoning Ordinance. This motion is subject to, and incorporates, the following report. Approval is conditioned upon the following:

1. Provide staff with the results of the flow test for review by DPW and F/R to ensure sufficient service
   a. Label and size fire protection line connection on plan sheet, ensure 5” Storz fitting.
2. A compliant landscaping plan to be administratively approved by staff
   a. The rear parking lot must show compliant landscaping around all 4 sides.
   b. Revise “Natural connections” to “Native Connections” for seed mix
   c. Replace “dry-mesic pollinator seed mix” for Zone 3&4 in Stormwater basin to “wet-mesic pollinator seed mix”
   d. Show tree protection fence around existing vegetation to remain on demolition plan
3. Photometric plan to be administratively approved by staff
   a. Light fixture to be verified as full cut-off
4. *List other conditions*...

If the Planning Commission finds the application does not meet the applicable standards, the following motion can be offered:

**Motion to deny** the MACkite Site Plan Review application, and direct staff to draft a formal motion and report for those discussion points which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the Planning Commission finds the applicant must make revisions before a decision can be made, the following motion can be offered:

**Motion to table** the MACkite Site Plan Review application, and direct the applicant to make the following revisions:

1. *List the revisions*...
Please contact me if this raises questions.

REPORT (TO BE USED WITH A MOTION FOR APPROVAL)

1. The application meets the site plan review standards of Section 18.07.G 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 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 stormwater, 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 conform 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.
GRAND HAVEN CHARTER TOWNSHIP

SITE PLAN REVIEW APPLICATION

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<th>Application Type</th>
<th>Fee</th>
<th>Escrow*</th>
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<tbody>
<tr>
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<tr>
<td>Building Addition</td>
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<td>Amendments &amp; All Others</td>
<td>$150</td>
<td>$1,000</td>
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<table>
<thead>
<tr>
<th>Utility Escrow**</th>
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<tbody>
<tr>
<td>Main Extension</td>
<td>$5,000</td>
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<tr>
<td>Lift Station</td>
<td>$2,000</td>
</tr>
</tbody>
</table>

Applicant Information
Name: Dryer Architectural Group
Phone: 616.846.5400
Address: 220 1/2 Washington Ave. Grand Haven, MI 49417
Email Address: dryerarch@gmail.com

Owner Information (if different from applicant)
Name: Wind Riders LLC (Steve Negen & Jacob VanderZee)
Phone: 616.607.9355
Email: steve@macklte.com & jake@macklte.com
Address: 16881 Hayes St. Grand Haven, MI 49417

Property Information
Address/Location: 16881 Hayes St. Grand Haven, MI 49417
Parcel Number: 70-03-33-400-024
Current Zoning: I-1
Size (acres): 2.54
Master-Planned Zoning:

Description of Proposed Use/Request (attach additional pages as needed)
Proposed Warehouse Addition (14,620 sf +/-) on the north side of the existing building. The added space will be used to warehouse products for online sales.
Also included in the project scope is a drive expansion, new employee parking lot, and new storm water management system.
A new Fire Suppression System will also be installed in the entire building. Currently the existing building is not sprinkled.

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapter 18 of the Zoning Ordinance.

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

Signature of applicant

Date: 03.31.2022

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

** If approval of this application requires/includes the extension of a municipal utility, an additional $5,000 escrow fee shall be required, and an additional $2,000 escrow fee shall be required for the installation of a lift station.
GH Township Planning Committee:

Regarding the building expansion and required parking spaces, we would kindly request an exemption due to the fact that the proposed addition will only be used for the warehousing of inventory items.

Our current full time year around staff is 12-15 employees. We do bring on an additional 1-2 part time help during the summer months May-Sept. Also, during that time, two of the current year around employees are stationed at our satellite location on Muskegon beach where we offer Kite & eFoil lessons.

The proposed rear lot should easily be enough to accommodate our year-round employees and our existing front lot with 24 spots will be plenty for our walk-in customers.

Our current business breakdown from our Hayes Street location:

- Watersports Sales are 95% of our annual sales
  - 95% online watersport sales
  - 5% walk-in watersport sales

- Electric bike sales make up 5% of our annual sales
  - 85% walk-in Ebike sales
  - 15% online Ebike sales

Thanks for your consideration,

Jake VanderZee
## TECHNICAL SPECIFICATIONS

### COMPLIANCE

- **UL Listed**
  Suitable for wet locations

- **IESNA LM79 & LM-80 Testing**
  PacLights LED luminaires have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80.

- **DLC Qualification**
  Selected models of this product are on the Design Lights Consortium (DLC) Qualified Products List and are eligible for rebates from DLC Member Utilities. To view our DLC qualified products, please consult the DLC Qualified Products List at www.design-lights.org/qpl

### LED CHARACTERISTICS

- **LEDS**
  Long-life, high-efficacy, surface-mount LEDs

- **Lifespan**
  100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations

- **Color Rendering Index**
  >80

- **Beam Angel**
  110°

- **Field-selectable Color Temperature**
  On selected models (-3CCT-), 3000K/4000K/5000K, selectable by a dip switch

- **Color Uniformity**
  PacLights’ range of Correlated Color Temperature follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2017

### CONSTRUCTION

- **IP Rating**
  IP 65 Rated

- **Ambient Temperature**
  Suitable for up to 50° C (122° F) ambient temperature

- **Cold Weather Starting**
  The minimum starting temperature is -40°F/-40° C

- **Housing**
  Die-cast aluminum housing

- **Gaskets**
  Silicon Gaskets

- **Finish**
  Our environmentally friendly polyester powder coatings are formulated for high-duty and long-lasting color, and contain no VOC or toxic heavy metals.

- **Mounting Methods**
  Surface mounting

- **Green Technology**
  Mercury and UV free, and RoHS compliant. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.

- **Refractor**
  Borosilicate glass

### ELECTRICAL

- **Drivers**
  0-10V Dimmable

- **Input Voltage**
  120-277V, 50-60 Hz

- **Power Factor**
  >0.9; THD <15%

- **Photocell Control**
  Pre-installed sensor, dusk-to-dawn on-and-off operation, 15±5 lux ON, 45±5 lux OFF.

---

*available on selected models

---
## TECHNICAL SPECIFICATIONS  Continued

<table>
<thead>
<tr>
<th>FWPT/2 - 029/040/060/080/100/120</th>
<th>FWPT/2 - 100L/120L/150L (extended size)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weight 8 lbs</td>
<td>Weight 11.5 lbs</td>
</tr>
</tbody>
</table>

### FINISHES

| all models | Dark Bronze |

### CCT SELECTABLE  on selected models

**CCT SELECTABLE ON FIXTURE**

Selected models (-3CCT-) are equipped with color temperature settings ranging from: 3000K (Warm White), 4000K (Neutral White) and 5000K (Daylight). Simply use the switch directly on the fixture to select the desired color temperature and then install. Selectable color temperature technology removes the guesswork of choosing the correct color temperature for your space. Select 3000K in applications requiring warm and inviting light, select 4000K for a slightly cooler light appearance, select 5000K in areas requiring bright, crisp light.

![CCT Switch](image)

*The switch is located inside of the fixture, its appearance may vary.*

### CONTROLS

**PHOTOCONTROL standard**

Photocell Control allows ON/OFF switching the luminaries, to be determined by the amount of daylight present. Specified low light levels at dusk will turn lights ON. When sufficient daylight returns at dawn, the lights automatically turn OFF. Automatic lighting controls save energy.

**BI-LEVEL MOTION CONTROL optional**

Bi-level Motion Control uses passive infrared sensing strategies option (up to 18ft) to provide the ability of sensing occupancy or vacancy on luminaries, to bi-level dimming and automatically turn ON and OFF the lighting fixture. Or, select microwave sensing strategies option to provide extended range of sensing (up to 60ft).
## ACCESSORIES optional

### EMERGENCY BATTERY BACKUP

Emergency Battery Backup generates a bright illumination even in emergency environments, such as power outages, blackouts, and fires, thanks to its UL924 approved battery for backup lighting. In addition, with intelligent emergency detection function automatically, it can provide 90 minutes ~ 180 minutes continuously work time under power-off mode.

### SECONDARY SURGE PROTECTOR

Secondary surge protector can act as the second line of defense, in addition to the LED driver’s integrated lightning arrester.

### GLARE SHIELD or WIREGUARD

---

## PERFORMANCE

<table>
<thead>
<tr>
<th>FWPT/2 - 029</th>
<th>FWPT/2 - 040</th>
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<tr>
<td><strong>29W</strong></td>
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<tr>
<td>3000K Warm white</td>
<td>3000K Warm white</td>
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<tr>
<td>4,205</td>
<td>5,760</td>
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<tr>
<td>LM/W</td>
<td>LM/W</td>
</tr>
<tr>
<td>145</td>
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<tr>
<td>146</td>
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<tr>
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<th>FWPT/2 - 060</th>
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<td>3000K Warm white</td>
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<tr>
<td>8,640</td>
<td>11,840</td>
</tr>
<tr>
<td>LM/W</td>
<td>LM/W</td>
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<tr>
<td>144</td>
<td>148</td>
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<td>145</td>
<td>149</td>
</tr>
<tr>
<td>146</td>
<td>150</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FWPT/2 - 100 / 100L</th>
<th>FWPT/2 - 120 / 120L</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>100W</strong></td>
<td><strong>120W</strong></td>
</tr>
<tr>
<td>3000K Warm white</td>
<td>3000K Warm white</td>
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<td>17,520</td>
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<td>LM/W</td>
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<td>143</td>
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<tr>
<td>144</td>
<td>147</td>
</tr>
<tr>
<td>145</td>
<td>148</td>
</tr>
</tbody>
</table>

| FWPT/2 - 150L | |
|----------------|
| **150W** |
| 3000K Warm white | 3000K Warm white |
| 21,900 | 17,900 |
| LM/W | LM/W |
| 146 | 146 |
| 147 | 147 |
| 148 | 148 |

---

## ORDERING INFORMATION

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<tr>
<th>FWPT™ generation 2</th>
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<tr>
<td><strong>Family</strong></td>
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<tr>
<td>FWPT/2</td>
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<tr>
<td></td>
</tr>
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<tr>
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<td></td>
</tr>
</tbody>
</table>
# STORM CALCULATIONS

**100 YEAR STORM**

**PROJECT: MAC KITE**

**PROJECT # 21-613**

**DATE: 2-25-22**

File Name: 613 STORM-BLDG-DRIVE EAST

**DESCRIPTION: 613 BLDG-DRIVE EAST**

<table>
<thead>
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<th>Impervious Surface(s)</th>
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<tr>
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</tr>
<tr>
<td>Perc Area</td>
<td>20 42 3</td>
<td></td>
</tr>
<tr>
<td>Perc Rate 6''/HR</td>
<td>6000 0.5 3000 cf/hr</td>
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</table>

<table>
<thead>
<tr>
<th>Time (hr)</th>
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<th>Qin</th>
<th>Q(RET reqd)</th>
<th>Q(perc)</th>
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<tbody>
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<td>7257</td>
<td>5,757</td>
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</tr>
<tr>
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<td>8,403</td>
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<td>1</td>
<td>0.24</td>
<td>9,167</td>
<td>6,167</td>
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<tr>
<td>1.5</td>
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<tr>
<td>2</td>
<td>0.308</td>
<td>11,764</td>
<td>5,764</td>
<td>6,000</td>
</tr>
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</table>

MAX RETENTION REQ'D = 6,300cf
Retention basin capacity 601 to 598 = 8,844cf
**STORM CALCULATIONS**

**100 YEAR STORM**

**PROJECT: MAC KITE**

**PROJECT #: 21-613**

**DATE: 2-25-22**

File Name: 613 STORM-WEST

**DESCRIPTION: 613 STORM WEST**

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<tr>
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<td>1625</td>
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<tr>
<td></td>
<td>5386 @ E + 2000 @N</td>
<td>15345</td>
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</table>

**Perc Area**

Estimated Perc Rate = 9"/hr

<table>
<thead>
<tr>
<th>Time (hr)</th>
<th>Qin</th>
<th>Q(stor)</th>
<th>Q(perc)</th>
<th>Q(out)</th>
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<td>area is .24&quot;d</td>
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</table>

Area is raw sand - actual perc rate approx 18"/hr
Illumination results shown on this lighting design are based on project parameters provided to Crites, Tidey & Assoc. used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying compliance with applicable lighting or energy codes. Any changes to the room reflectances and/or obstructions not noted will alter the light levels. Please verify the date listed to assure the accuracy of the report. Values represent an approximation. Footcandle Levels are considered at the end of the life of the lamp and ballast.

Manufacturers' Representatives

Lighting Equipment

DESIGNED FOR:

MACKITE

T MCBRIDE

4.14.2022

PHOTOMETRIC PLAN

SCALE: NTS
Illumination results shown on this lighting design are based on project parameters provided to Crites, Tidey & Assoc. used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying compliance with applicable lighting or energy codes. Any changes to the room reflectances and/or obstructions not noted will alter the light levels. Please verify the date listed to assure the accuracy of the report. Values represent an approximation. Footcandle Levels are considered at the end of the life of the lamp and ballast.

### Calculation Summary

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<tr>
<th>Scene: GEN</th>
<th>CalcType</th>
<th>Units</th>
<th>Avg</th>
<th>Max</th>
<th>Min</th>
<th>Avg/Min</th>
<th>Max/Min</th>
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</thead>
<tbody>
<tr>
<td>EXTERIOR</td>
<td>Illuminance</td>
<td>Fc</td>
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<td>10.5</td>
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<td>4.73</td>
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**NOTES:**
- CALC AT GRADE

537 W / 26,965 SQ FT = 0.0199 W/SQ FT
Community Development Memo

DATE: April 12, 2022

TO: Planning Commission

FROM: Rory Thibault – Senior Planner

RE: STR Overlay - Polak

SHORT TERM RENTAL CLARIFICATION

Following the March 21, 2022 Planning Commission meeting, Township Staff contacted Township Attorney Bultje to provide further clarification regarding the Short Term Rental (STR) rezoning process.

This was a result of the motion to conditionally approve the Polak property pending clarification from the Township Attorney as recorded in the March 21, 2022 Planning Commission meeting minutes.

Following is the correspondence received from Attorney Bultje.

Good morning, Rory. I appreciate the questions from you and the Planning Commission regarding the rezoning of property in the Township into the Short Term Rental Overlay Zone. My attempt in this email will be to describe what I believe should be the process and the considerations for the Planning Commission and then the Township Board when processing these rezoning requests.

First, I recommend that any request to rezone property into the STR Overlay Zone be evaluated through the use of the traditional three C’s approach – would the rezoning be compatible with the surrounding neighborhood; would it be consistent with the master plan; and would it be within the capabilities of the existing infrastructure? I suspect that the master plan usually will not provide much guidance for these rezoning requests, but certainly the capabilities of the existing infrastructure and the compatibility with the surrounding neighborhood will be critical factors to consider.

Second, the three points that you identify in your email are really geared toward compatibility of the proposed rezoning with the surrounding neighborhood. For example, if the surrounding neighborhood is a traditional neighborhood or subdivision, then STRs will not be encouraged. If the surrounding area doesn’t include Lake Michigan or other area where STRs would normally be expected to exist, STRs will not be encouraged. If the requesting
party cannot show a lengthy rental history without accompanying disturbance to the surrounding neighborhood, again, STRs will not be encouraged.

With regard to these three above factors in the preceding paragraph, no one factor controls. However, it seems to me the third factor (i.e. the presence or absence of a lengthy rental history, with or without accompanying disturbance to the surrounding neighborhood) is the best indication there can be regarding whether or not the proposed STR would be and has been compatible with the surrounding neighborhood. It is important to bear in mind that this procedure is not like a variance application to the Zoning Board of Appeals, where every factor must be satisfied in order to obtain the requested variance. Rather, this is a process of balancing all of the relevant factors and considerations. One factor may not be met, or may be very questionable, but other factors may be very clearly met; that situation could lead to a legitimate recommendation of approval from the Planning Commission and a legitimate decision to rezone by the Board.

Of course, even if the property is rezoned to the STR Overlay Zone, the applicant still must obtain special land use approval in order to actually operate a short term rental in the location at issue. Every special land use must also receive site plan approval. In deciding whether to grant those approvals, the Planning Commission will consider all the SLU standards in Section 12.04, and all of the site plan standards in Section 18.07(G). Any approvals granted by the Planning Commission can be made contingent on reasonable conditions established by the Planning Commission, and those conditions will certainly include compliance with the requirements of the STR regulatory ordinance adopted by the Township.

I’m not inclined to believe that the STR amendment to the Zoning Ordinance must be further amended to give the Planning Commission and the Board more guidance in deciding how to handle rezoning requests to the STR Overlay Zone. I believe application of the normal rezoning considerations, combined with all of the requirements of the Zoning Ordinance, all as summarized above, will give both the Planning Commission and the Board adequate guidance on how to handle such rezoning requests. Further, the language in Section 9.01 of the Zoning Ordinance, giving the purpose of the STR Overlay Zone, gives further guidance to both the Planning Commission and the Board. I believe all of this guidance is adequate, and I would hesitate to remove all discretion from being applied to STR Overlay Zone rezoning requests.

If you or the Planning Commission have further questions or comments after reviewing the above, please advise. Thanks very much.

**NEXT STEPS**

If the Planning Commission finds the clarification acceptable, Township Staff will proceed with the rezoning process and bring the application to the Township Board at their next regularly scheduled meeting.

Please contact me prior to the meeting if you have questions.
Community Development Memo

DATE: April 14, 2022
TO: Planning Commission
FROM: Rory Thibault – Senior Planner
RE: Pre-Application update – Eastbrook Homes – Proposed Development

UPDATE

Eastbrook Homes has developed a parallel plan per the direction provided by the Planning Commission at the March 21, 2022 meeting.

The applicant’s parallel plan shows 100 lots, a ↓ reduction of 70 units from their previous proposal. The changes to the PUD are in response to the previous concerns and comments both the Planning Commission and adjacent residents had expressed.

PARALLEL PLAN

Master Plan – Medium Density Residential

The Future Land Use for the site is currently Medium Density Residential. As a result, any PUD shall be in alignment with Master Plan as defined.

The types of housing appropriate as determined by the Master Plan are as such:

✓ accommodates both single and two-family residences
✓ individual lot sizes may be smaller in a PUD as determined by the Planning Commission
✓ wide range of housing and residential densities provided
✓ well balanced, but diverse pattern of land uses

The property is currently zoned R-2.
Per Section 7.04 of the Zoning Ordinance, the maximum lots permissible is established by a parallel plan. The Planning Commission shall evaluate the proposal based on a set of criteria ensuring the development is still in alignment with the goals and objectives of the Master Plan as well as the Zoning regulations.

The parallel plan utilizes the R-2 zoning requirements, matching the Zoning and Master Plan designation of the property as Medium Density Residential.

<table>
<thead>
<tr>
<th></th>
<th>Total # units</th>
<th>Density Bonus</th>
<th>Units permissible</th>
<th>Density shown</th>
</tr>
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<tbody>
<tr>
<td>Parallel Plan</td>
<td>100</td>
<td>-</td>
<td>210</td>
<td>3.35 units/ac</td>
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Comparable Development Density

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>R-2 Zoning max</td>
<td>3.35 lots/ac</td>
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<tr>
<td>Robinson Landing</td>
<td>4.3 lots/ac</td>
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</tr>
<tr>
<td>Village Green</td>
<td>5.4 lots/ac</td>
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DISCUSSION

- Is the Planning Commission comfortable with utilizing the 100 lots (3.35 units/acre) as the established baseline per the requirements of the parallel plan?
- Is the Planning Commission comfortable with changing the design of the site in order to meet the requirements of the PUD, so long as the baseline units/acre is maintained?
100 LOTS

13,000 S.F. MIN.
80 WIDTH MIN.
25' F.Y. SETBACK

R-2 MINIMUMS:

 July 2022

12 ACRE DETENTION AREA

.74 ACRE DETENTION AREA

.12 ACRE DETENTION AREA

R-2 LOT LAYOUT

12 ACRE DETENTION AREA

.74 ACRE DETENTION AREA

.12 ACRE DETENTION AREA

R-2 LOT LAYOUT

REENDERS - GRAND HAVEN