Community Development Memo

DATE: May 17, 2017
TO: Township Board
FROM: Stacey Fedewa, Community Development Director
RE: PUD – Housing for the Elderly – Village at Rosy Mound

<table>
<thead>
<tr>
<th>PROPERTY DETAILS</th>
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<tbody>
<tr>
<td>Property Address</td>
</tr>
<tr>
<td>14110 Lakeshore*</td>
</tr>
<tr>
<td></td>
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<table>
<thead>
<tr>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>Service Professional (SP)</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Existing Site Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Master-Planned Zoning</th>
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</thead>
<tbody>
<tr>
<td>Direction</td>
</tr>
<tr>
<td>Medium-High Density Residential PUD</td>
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<td></td>
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* The property addresses will change after the land divisions are completed. The applicant has all the information necessary for the division, but is waiting to apply until their financing is approved through MSHDA and they take title to the property (have a purchase agreement contingent upon receiving PUD approval from the Township).

The following is a comprehensive list of each document included in the packet:

- PUD Application
  - Detailed Site Layout (Site Plan)
  - Fire Truck Turning
  - SESC & Grading
  - Utility
  - Easements
  - Multiple Landscape Plans
  - Parallel Plan

- Civil Plans
  - Site Analysis
  - Existing Site Conditions
  - Tree Survey/Demo
  - Aerial Analysis
ARCHITECTURAL PLANS
- Miscellaneous Site Details
  - Revised to Show Stone Veneer
- Maintenance Garage & Signage
- Site Lighting Fixtures
- Photometric
- Congregate Floor Plans & Elevations
- Assisted Living Floor Plans & Elevations
- Cottage Floor Plans & Elevations

COLOR RENDERINGS

PROJECT NARRATIVES
- Ordinance Compliance
- Departure Requests
- Traffic Analysis
- Parking Study
- Unit Size Analysis
- Green Building Policy
- Protected Species Evaluation

DRAFT OF OPEN SPACE CONVEYANCE

BACKGROUND

In 2016, the Ottawa County Road Commission (OCRC) accepted the proposal from RW Properties I LLC (the “Developer”) to purchase their nearly 27 acres of land. The OCRC heard multiple proposals and ultimately settled on the senior living campus proposed by the Developer.

The Developer has a purchase agreement with the OCRC, with the sale being contingent upon receiving PUD approval from the Township. Furthermore, the Developer has applied to the Michigan State Housing Development Authority (MSHDA) for state/federal funding, which will allow the Developer to offer an affordable rental rate for certain units with the rest remaining at the standard market-rate. In order to accomplish this, the Township has had to confirm that a Tax Exemption Ordinance, commonly referred to as a Payment in Lieu of Taxes (PILOT) agreement will be signed. Keep in mind, the existing land is tax-exempt, so even a reduction in taxes will still add property tax revenue.

Throughout this memo, the Board will find numerous references to site constraints, and how they determined the site design of the project. There is steep topography at Lakeshore Drive, limited site distance on Rosy Mound, a steep change in elevation from the buildable area to the wetland at the bottom of the bank, very large right-of-way due to US-31 and the railroad, accommodating concerns of the adjacent subdivision, etc.

The Planning Commission held a public hearing on April 17th where consideration was given to each departure request. Staff was then directed to compile that information into a formal motion and report of findings, which would be considered for adoption at the next meeting. On May 15th the Commission adopted the formal motion to recommend the Board conditionally approve the PUD.
The development falls under the “Housing for the Elderly” category of the PUD Chapter. Unfortunately, the Zoning Ordinance does not specifically address that land use, so staff had to determine similar land uses to establish a basic set of standards for which to review.

The development would consist of 3 specific building types—Congregate, Assisted Living, and Cottages. In response, staff selected the following land uses to establish the base standards:

- **Congregate** = R-4, Multiple-Family Dwellings, Permitted Use
- **Assisted Living** = R-3, Nursing or Convalescent Homes, Special Land Use
- **Cottages (2 units)** = R-3.5, Two-Family Dwellings, Special Land Use
  - (3+ units) = R-3.5, Multiple-Family Dwellings, Permitted Use

**Congregate Apartment Building**

<table>
<thead>
<tr>
<th>Land Area for Use</th>
<th>6.96 acres</th>
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<tbody>
<tr>
<td>Total No. Units</td>
<td>116</td>
</tr>
<tr>
<td>Building Height</td>
<td>3 stories, 37’-6”</td>
</tr>
<tr>
<td>Building Footprint</td>
<td>49,441 sqft</td>
</tr>
<tr>
<td>Total Parking Spaces</td>
<td>98 spaces</td>
</tr>
<tr>
<td></td>
<td>(40 open, 24 garages, 36 carports)</td>
</tr>
</tbody>
</table>

There are 12 unit types that range in size from 685 sqft for a 1 bed/1 bath to 1,364 sqft for a 2 bed/2 bath. That said, there are two unit types that account for ⅔ of the total number of units—46 are
proposed as 685 sqft 1 bed/1 bath units, and 31 units are proposed as 937 sqft 2 bed/1.5 bath. There are less than 10 units dedicated to the other types.

Now, the minimum floor area for R-4 apartments is 884 sqft, so a departure has been requested for this subject. However, the Developer notes that a variety of common areas and services are also being provided to the residents, and these amenities are not typically offered to traditional apartment buildings. Based on that, approximately 15,000 sqft of additional floor area is available to residents, which equates to an extra 130 sqft per unit. A departure is being requested for the room sizes.

Common areas and amenities for this building include (a full list is identified in the plan sets and project narratives)—theater, salon, arts & crafts, guest suite, lounge, fitness, laundry, storage, etc.

| Assisted Living Facility |

| Land Area for Use | = 11.43 acres |
| Total No. Units | = 110 |
| Building Height | = 1 story, 18’-0” |
| Building Footprint | = 96,348 sqft |
| Total Parking Spaces | = 55 spaces |

There are 8 unit types that range in size from 249 sqft studio to an 811 sqft unit with 2 bed/2 bath. State and federal law only require a minimum room size of 200 sqft for nursing and convalescent homes, which is the synonymous land use for the Assisted Living building. Thus, all room sizes for this building are compliant. There are 2 unit types that account for 80% of total—58 are proposed as 500 sqft 1 bed/1 bath units, and 29 units are proposed as 584 sqft 1 bed/1 bath.
Cottages

Land Area for Use = 8.53 acres
Total No. Units = 27 (2 two-unit buildings, 5 three-unit buildings, 2 four-unit buildings)
Building Height = 1 story, 15’-8”
Building Footprints = 1,404 sqft for each unit
37,908 sqft total
Total Parking Spaces = 54 spaces
(1 garage space + 1 driveway space per unit)

Cottages will all have a gross floor area of 1,404 sqft. Of which, 1,122 sqft is living area and 282 sqft is dedicated to a garage. This exceeds the minimum floor area requirements for attached dwellings.

Open Space

The PUD Ordinance requires a minimum 20% open space, but due to site conditions and regulated wetlands the Developer is offering to set aside 12.03 acres of designated open space (or 45% of total site). This is 123%↑ more open space than what is required.

See next page for an image depicting the designated open space.
Due to site constraints, staff and the Developer spent an extensive amount of time deciding how the road network would be accomplished because a 66’ right-of-way was prohibitive. The best solution that staff, the Developer, and OCRC agreed upon was constructing the driving surfaces to public road standards, but in actuality have them be classified as a driveway. This solution satisfied Fire/Rescue concerns about maneuvering the site, Community Development concerns about building separations and ingress/egress spacing, and the Developers concerns about having to eliminate certain buildings if a right-of-way is required. The Developer is requesting a departure for this hybrid-type road system.

There is still enough room for public and private utility easements, so if the Township needs to perform work on the municipal water or sanitary sewer lines they will be able too, and since the “road” network is private the Developer is responsible for maintenance.

As for the number of parking spaces permitted by right (i.e., outside of the Overlay Zone), those permitted under the Overlay Zone regulations, and those being proposed by the Developer, which is a pleasant surprise:
<table>
<thead>
<tr>
<th>Land Use</th>
<th>Permitted by Right</th>
<th>Permitted in Overlay Zone</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congregate</td>
<td>75</td>
<td>705</td>
<td>98</td>
</tr>
<tr>
<td>Assisted Living</td>
<td>55</td>
<td>481</td>
<td>55</td>
</tr>
<tr>
<td>Cottages</td>
<td>54</td>
<td>178</td>
<td>27</td>
</tr>
<tr>
<td>Total</td>
<td>184</td>
<td>1,364</td>
<td>180</td>
</tr>
</tbody>
</table>

It should be noted, the number of spaces the Developer is proposing is significantly less than what is permitted by right in the Overlay Zone (1 space/200 sqft useable floor area), and less than what is permitted by right outside of the Overlay Zone. Limiting impervious surface was a best management practice identified in the Resilient Master Plan.

**Emergency Access Road**

By far, the most challenging aspect of this project site was identifying a suitable location for an emergency vehicle access point on another public roadway. Below, is a graphic that shows all the site constraints that ultimately led to the final location that has been approved by staff, OCRC, and the Developer. The Township requires at least two points of access for any development over 24 premises. As described in the above graphic there are very limited options for a second access point.

It should be noted, the Developer has not secured an easement yet from the Grand Haven Area Public School district to construct this emergency access on the school property. This will be added as a condition of approval.
The Developer performed an extensive tree survey of this heavily wooded project site. Emphasis was made to preserve as much natural woodland as possible along the Cottage Hills Subdivision boundary line and along Lakeshore Drive. Although the figures below regarding tree removal seems extensive there are still an exceptional number of existing trees that will remain on the property—especially considering 12.03 acres of land will be set aside as open space.

The Overlay Zone differentiates between a Heritage Tree, Landmark Tree, and Protected Tree. There are no Heritage Trees on the property. The Overlay Zone has a list of trees that have been deemed Landmark based on their horticultural qualities and caliper size. A Protected Tree is any other tree 8"+ in caliper size. Keep in mind, the tree survey was only conducted on the buildable land (aka Construction Zone), and it was not conducted within the regulated wetland, which is approximately 6 acres in size.

<table>
<thead>
<tr>
<th>Tree Type</th>
<th>Preserved or New</th>
<th>Removed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heritage</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Landmark</td>
<td>104</td>
<td>146</td>
</tr>
<tr>
<td>Protected</td>
<td>Not Available</td>
<td>509</td>
</tr>
<tr>
<td>New Landscaping</td>
<td>348</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Based on the above there is a net loss of approximately 203 trees within the construction zone.

The interior landscape islands were addressed slightly differently too. Due to compactness of the site, and the need to provide good visibility for the residents who drive, it was found the best placement of trees was toward the perimeter of the paved areas. Additionally, because many of the resident drivers could have limited mobility it is counterintuitive to create more distance from the parking spaces to the building entrances. Thus, a departure is being requested on interior landscape islands.
Architecture

The Overlay Zone has different architectural requirements based on the type of land use—Commercial, Office, and Institutional; Industrial; and Multiple Family. Technically, the Congregate and Cottages are Multiple Family and the Assisted Living is Institutional. However, the stronger architectural requirements for 1 out of 3 land uses did not make sense especially because the Assisted Living building will have the least amount of visibility from public roadways.

Based on this, staff directed the Developer to follow the Multiple Family architectural requirements for all buildings, and request a departure.

Signage

The Developer is proposing to use the same signage plan as the one found at their Ferry Street development. The size complies with the basic zoning regulations, will be internally illuminated, and have landscaping around the base.

Sustainable Development & Traffic

The Developer proposes to build the site in accordance with MSHDAs Affordable Green New Construction policy. Geothermal heating will be used; water conservation through plumbing fixtures; ENERGY STAR appliances and hot water heaters; high efficient lighting with daylight sensors on outdoor lighting; HVAC will be appropriately sized to ACCA standards; many of the interior construction materials will utilize low or no volatile organic compounds; will have an efficient irrigation system; landscaping will be appropriate to the site’s soil and microclimate conditions; and the policy prohibits the use of any invasive species.

The site is not expected to generate any significant amount of traffic, and it was determined a traffic study was not required because the site will not generate 100+ trips during peak hours, or 1,000+ daily trips. The Developer provided an estimate, which was then reviewed by Commissioner LaMourie, who found the site will likely generate approximately 634 trips per day with the highest number of peak hour trips being 28 during the PM rush hour.
During the design process of this site there were three minor subjects that staff and the Developer did not agree on, and both decided to provide the Township Board with the information to make the decision. Below is original subject, staff and Developer points of view, and the Planning Commission’s recommendation to the Board, along with an update if applicable.

1. Garage Port & Carport Architecture

Subject: The Overlay Zone requires accessory structures to have similar architectural features as the main buildings. However, the proposed garage ports and carports are basic metal structures.

Staff: The two structure types should be modified to meet some type of higher architectural and/or building material standard.

Developer: Request is cost prohibitive and unnecessary to build high-end garage ports and carports.

PC: Add stone veneer to sections of the garage ports and carports.

Update: Developer has added a stone veneer to both types of structures:

![Garage Port & Carport Architecture Diagram]

2. Refuse Enclosure Screening

Subject: The Landscaping requirements indicate that refuse containers must be screened by a wood or masonry solid wall or live conifer landscape material. The Developer is proposing an 8” concrete wall with sandblasted finish.

Staff: Does not consider a concrete wall to be masonry because the common understanding of masonry is block or stone being stacked on top of each other to create a wall.
**Developer:** Believes the sandblasted wall does constitute masonry, it is utilized at their other sites, is easy to maintain, does not get damaged easily, and the concrete is generally screened from the proposed landscaping surrounding the container.

**PC:** Add stone veneer to the refuse enclosure.

**Update:** Developer has added a stone veneer to the refuse enclosure (*see page 10 for image*).

### 3. Cottage Garages

**Subject:** The Overlay Zone requires the garages of Multiple Family housing types to be varied and/or recessed to reduce the emphasis on the garages along the street edge.

**Staff:** Believes the garages should be varied or recessed in some fashion.

**Developer:** Believes there is variation because of the building placements on the site, and the residents utilizing the garages need as much visibility as possible when maneuvering in, and out, of the garage, and recessing the garage would reduce their visibility and possible lead them to damage their Cottage or vehicle. Additionally, the garages are aligned with the covered front porch, so the garage does not directly align with the front wall of the Cottage.

**PC:** Proposed design of the Cottages is acceptable because the underlying intent of the Overlay Zone was to prevent a “flat-faced” dwelling. Based on the varying building positions, rooflines, and architectural interest with the front porch the spirit and intent of this provision is satisfied.

### TRANSITION AREA DETERMINATION

Section 17.05.6 describes Transition Area requirements. The Developer requests the Board find that a 30’ undisturbed existing woodlot and approximately 100+ feet of separation from the Assisted Living facility and Cottage Hills Subdivision homes is sufficient to meet this requirement.

The Planning Commission recommends the Board approve the propose Transition Area.

### COMPLETE LIST OF REQUESTED DEPARTURES

Below is a list of all the departures being requested from the Developer along with staff comments, and recommendation made by the Planning Commission. Each of these will need to be considered and a finding made for each request, which will be incorporated into a formal motion and report of findings at the next meeting.

It should be noted—although the following list may seem extensive the majority are specifically related to site constraints or having to translate Housing for the Elderly into other land uses that are similar, but not exact (*i.e., “square peg/round hole” scenario*).
The Board will need to consider each of the departures below and make a tentative finding. The findings will be incorporated into the memo, motion, and report of findings at the next meeting.

<table>
<thead>
<tr>
<th>No.</th>
<th>Section &amp; PC Recommendation</th>
<th>Request</th>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>11.04 PC – <strong>Approve</strong></td>
<td>Convert the method of setback measurement from lot line to building, and replace it with building separation.</td>
<td>Due to the uniqueness of the site, and MSHDA requirements to have separate parcels for each use, staff found the best way to measure setbacks is via building separation instead of lot lines.</td>
</tr>
<tr>
<td>2</td>
<td>15A.04.5 PC – <strong>Approve</strong></td>
<td>Waive the requirement to receive separate special land use approval to relocate an existing overhead utility pole and electrical line.</td>
<td>There is an existing utility pole that needs to be relocated to accommodate the site. There will not be any new overhead utility lines, and the remaining utilities will all be buried.</td>
</tr>
<tr>
<td>3</td>
<td>15A.10.3 PC – <strong>Approve</strong></td>
<td>Allow the landscaping that must abut the walls to be planted 36” away from the building next to the stone maintenance strip.</td>
<td>MSHDA requires a certain distance that landscaping must be planted from the building, and the Developer’s preferred building design does not include downspouts, thus the maintenance strip is used to capture runoff. Generally, the additional distance still satisfies the intent of the regulation, which is to reduce the visual mass.</td>
</tr>
<tr>
<td>4</td>
<td>15A.10.5 PC – <strong>Approve</strong></td>
<td>Remove the requirement that 75% of interior landscape islands be inside the parking lot and instead be along the perimeter.</td>
<td>As discussed above, the proposed parking lots are not expansive, and creating additional distance for the residents to walk from their vehicle to the building is counterintuitive to a development catering to residents that may have limited mobility.</td>
</tr>
<tr>
<td>5</td>
<td>15A.10.11 PC – <strong>Approve</strong></td>
<td>Not requested by Developer.</td>
<td>Staff recommends the Planning Commission consider a departure from the deferred parking requirements that does not obligate the Township or Developer to identify additional parking spaces or draft an agreement regarding the parking.</td>
</tr>
<tr>
<td>6</td>
<td>15A.11 15A.11.3 PC – <strong>Approve</strong></td>
<td>Allow the Assisted Living facility to be considered Multiple Family like the Congregate and Cottages for architectural purposes.</td>
<td>As discussed above, the Assisted Living facility has the least amount of visibility, but is technically an Institutional Use and would require a higher architectural standard than the other two uses. Staff did not see a benefit to requiring 1 out of 3 building types to have more architecture than the other buildings, which may reduce the cohesiveness of the site.</td>
</tr>
<tr>
<td>7</td>
<td>15A.13.1.B PC – Approve</td>
<td>Remove the requirement to vary the location, or recess the Cottage garage.</td>
<td>As discussed above, the Developer believes a recessed garage will reduce the visibility of the tenants and lead to damaged garages and vehicles.</td>
</tr>
</tbody>
</table>
| 8 | 17.05.1.E PC – Approve | • Find the use of driveways built to OCRC road standards is permitted in order to remove the right-of-way requirement.  
• Find the separation between points of ingress/egress is sufficient and accommodates vehicular circulation. | • As discussed above, due to site constraints it was not feasible to have a 66’ right-of-way, so it was requested to build the driving surface to OCRC standards, but allow them to be a driveway in order to remove the right-of-way.  
• Site constraints do not allow for the access points to meet the Township or OCRC spacing requirements. However, staff is generally comfortable with the proposed locations and the Developer made numerous revisions to improve internal circulation. |
<p>| 9 | 19.07.28.D PC – Approve | Allow the Assisted Living facility to have frontage on the proposed driving surface instead of fronting onto a paved road like Lakeshore Drive. | The Assisted Living facility will still front on a driving surface that is built to OCRC road standards, but is proposing to not have a right-of-way. If the Planning Commission approves that request it should also approve this one. Furthermore, due to steep topography and site distance it is not feasible to have the Assisted Living building front onto Lakeshore Drive. |
| 10 | 19.07.28.E PC – Approve | Allow accessory buildings, including the maintenance building, pergolas, and gazebos, to have a setback less than 75 feet. | The SLU provisions require a 75’ setback for all accessory structures. However, due to site constraints and the proposed design a 75’ setback for these structures does not serve a good purpose. As discussed above, it is not advisable to create more traveling distance for the residents become some may have limited mobility. |
| 11 | 19.07.28.H PC – Approve | Allow parking spaces to be in front of the Assisted Living facility. | The SLU provisions require parking to be in the side or rear yard. Although a true front yard does not exist for this building it seems sensible to have the parking in the front to reduce the impact to the Cottage Hills Subdivision, provide more direct access to the building and adjacent driving surface, and maintain the natural landscape for residents to enjoy when looking out their windows. |</p>
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<tbody>
<tr>
<td><strong>12</strong></td>
<td><strong>20.12.5</strong></td>
<td>Allow a 6’-6” tall decorative fence for the Assisted Living Memory Care Courtyard.</td>
<td>Typically, the maximum fence height is 6’. However, due to the special needs of Memory Care patients and the Developer’s operation experience a 6’-6” fence is able to provide the safety and security of these patients.</td>
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<tr>
<td></td>
<td><strong>20.12.6</strong></td>
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<tr>
<td></td>
<td><strong>PC – Deny</strong></td>
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<tr>
<td><strong>13</strong></td>
<td><strong>21.02</strong></td>
<td></td>
<td>Allow a 3-story 37’-6” height for the Congregate building. Reduce the minimum floor area requirement for the Congregate units from 884 sqft to 685 sqft. The Accessibility regulations require first floor apartments to be on grade and not “garden” style to ensure people with disabilities and limited mobility can have uninterrupted access to their living quarters. Therefore, a 3-story departure should be approved, and the Commission will need to determine if a 2’-6” height departure is reasonable. Unlike a typical apartment building the Congregate offers additional amenities and common areas that could be calculated as part of the minimum floor area.</td>
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<tr>
<td></td>
<td><strong>PC – Approve</strong></td>
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<tr>
<td><strong>14</strong></td>
<td><strong>24.04.2</strong></td>
<td>Allow the minimum size of a parking space to be 10’x20’ instead of the required 9’x18’. The Developer has supplied documentation from MSHDA that requires a minimum parking space size of 10’x20’ to assist elderly residents with parking maneuvers.</td>
<td></td>
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<td></td>
<td><strong>PC – Approve</strong></td>
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**PROPOSED CONDITIONS OF APPROVAL**

Below is an itemized list that staff and the Planning Commission created as conditions of approval:

1. Obtain an easement from the Grand Haven Area Public School district to install the emergency access on Lakeshore Drive. This easement shall be reviewed and approved by the Township Attorney prior to recording with the Register of Deeds.

2. Add an additional sidewalk from Cottage 1 to Rosy Mound Drive to provide greater walkability on the site.

3. The Developer shall incorporate additional shielding to light fixtures along the southern boundary line that abuts the Cottage Hills Subdivision as well as the Northwest corner of the site that abuts the Rosy Mound Elementary School to ensure light does not spill into the adjacent dwellings.

4. Revise Sheet C-205 to reflect the true open space figures presented on Sheet L-100. This will ensure there is no confusion regarding the proposed 12.03 acres of designated open space.

5. The Developer shall provide documentation from the Grand Haven Board of Light and Power regarding streetlights—if they will be metered or if a Special Assessment Lighting District is required. This subject must be satisfied prior to receiving an occupancy certificate.
6. Must obtain permits from all applicable agencies including the OCRC, OCWRC, State of Michigan etc. Permits shall be obtained before building permits are issued.

7. The Developer shall enter into a PUD Contract with the Township, which will be drafted by the Township Attorney and approved by the Township Board prior to receiving a building permit.

8. The Developer shall enter into a modified version of the typical Private Road Maintenance Agreement with the Township, which will be drafted by the Township Attorney and approved by the Township Board prior to receiving a building permit.

9. The Township and Developer shall agree to a Tax Exemption Ordinance commonly referred to as a Payment in Lieu of Taxes (PILOT) agreement pursuant to the MSHDA requirements.

10. Additional conditions the Board would like to incorporate will be added to this list (which will be in the form of a motion) and presented at the next meeting.

**SAMPLE MOTIONS**

If the Board finds the Village at Rosy Mound PUD application meets the applicable standards, the following motion can be offered:

**Motion** to postpone further action until June 12th on the proposed Village at Rosy Mound PUD application and rezoning of parcels 70-07-04-200-025, 70-07-04-400-028, and part of 70-07-04-100-028 from Service Professional (SP) to Planned Unit Development (PUD). **This is the first reading.**

If the Board finds the Village at Rosy Mound PUD application does not meet the applicable standards, the following motion can be offered:

**Motion** to direct staff to draft a formal motion and report, which will **deny** the Village at Rosy Mound PUD application, with 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 Board finds the applicant must make revisions to the PUD application, the following motion can be offered:

**Motion** to **table** the Village at Rosy Mound PUD application, and direct the applicant to make the following revisions:

1. **List the revisions.**

Please contact me if this information raises questions.
MEETING MINUTES – EXCERPT OF VILLAGE AT ROSY MOUND
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
APRIL 17, 2017

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

II. ROLL CALL
Members present: Cousins, LaMourie, Robertson, Kieft, Taylor, Wilson, Reenders, and Wagenmaker
Members absent: Chalifoux
Also present: Community Development Director Fedewa and Attorney Bultje

Without objection, Cousins instructed Fedewa to record the minutes.

III. PUBLIC HEARING
D. PUD – Housing for the Elderly – Village at Rosy Mound

Cousins opened the public hearing at 7:19pm.

Fedewa provided an overview through a memorandum dated April 13th.

The applicant, Shirley Woodruff of RW Properties I LLC, and design professionals John Casserly PE of Nederveld and Daniel Tosch of Progressive Associates, were present and available to answer questions.

There being no public comment Cousins closed the public hearing at 7:26pm.

IV. OLD BUSINESS
D. PUD – Housing for the Elderly – Village at Rosy Mound

Fedewa provided a more thorough review of the April 13th memorandum. Next, staff and the Planning Commission addressed each item that required additional consideration and then each departure request, which will then be crafted into a motion and report of findings that will be considered at the next meeting.

Certain items required additional consideration by the Planning Commission. It is noted, the Planning Commission only provided verbal approval or denial for these items of consideration, and the role of the Commission is simply to make recommendations to the Township Board. The Board is the governing body granted the authority to make final determinations on PUD
applications. As needed, the findings will be incorporated into the departure requests for the Township Board to consider:

- The Overlay Zone requires higher architectural standards for the garageport and carport accessory structures, which are proposed as basic metal structures.
  
  - Architect Tosch explained the two types of structures are purposefully low-profile with a mute color to ensure they do not block the view of residents. Requested the structures remain the same if a brick or stone accent veneer was applied.
  
  - The Planning Commission finds this acceptable because ensuring resident visibility is important, as well as requiring a higher aesthetic. This recommendation will be made to the Township Board.

- Screening material for refuse container is proposed as a concrete wall with sandblasted finish, but ordinance requires a wood or masonry solid wall. Typical understanding of masonry is the stacking and mortaring of blocks to create a wall, and not poured concrete.
  
  - Architect Tosch offered to apply a brick or stone veneer to the outside of the poured concrete to enhance the aesthetics of the screening.
  
  - The Planning Commission finds this acceptable because it meets the spirit and intent of the screening requirement. This recommendation will be made to the Township Board.

- The Overlay Zone requires the garages of Multi-Family housing types (*i.e.*, the *Cottages*) to be varied and/or recessed to reduce the emphases on the garages along the street. The developer is proposing the same design for each unit.
  
  - Architect Tosch explained the Cottage garages are aligned with the covered front porch. There are slight variations to the roofline, and additional windows have been placed. The type and positioning of each building is varied.
  
  - Developer Woodruff explained the need to provide as much visibility and maneuvering room as possible for residents.
  
  - The Planning Commission finds the Multi-Family Overlay Zone architectural requirements were intended to prevent a “flat-faced” dwelling. Based on the varying building positions, rooflines, and architectural interest with the front porch the spirit and intent of this provision is satisfied. This recommendation will be made to the Township Board.

- Section 17.05.6 requires the Township to make a Transitional Area determination due to the proximity to single family dwellings. A 30’ undisturbed buffer will be maintained along the southern property line that abuts the Cottage Hills Subdivision. In addition, there is approximately 100+ feet of separation between the proposed Assisted Living building and the existing dwellings.
The Planning Commission finds this proposal an acceptable Transition Area. This recommendation will be made to the Township Board.

Next, each departure request was considered. It is noted, the Planning Commission only provided verbal approval or denial for these departure requests, and the role of the Commission is simply to make recommendations to the Township Board. The Board is the governing body granted the authority to make final determinations on PUD applications. The following list constitutes the current departure requests along with the findings of the Planning Commission and the recommendation that will be provided to the Board:

1. Section 11.04 – convert the method of setback measurements to building separation.
   a. The Planning Commission finds it acceptable to measure setbacks as building separations rather than distance from lot lines because the proposed parcel lines are needed for financing purposes and a building separation measurement satisfies the spirit and intent of setbacks.

2. Section 15A.04.5 – waive the requirement to receive separate special land use approval to relocate an existing overhead utility pole and electrical line.
   a. The Planning Commission finds this acceptable because there will not be any additional overhead utility lines installed. This pole needs to be relocated to accommodate the stormwater retention basin.

3. Section 15A.10.3 – allow the landscaping that must abut the walls of the building to be planted 36” away to accommodate a stone maintenance strip, which is used to capture the roof runoff.
   a. The Planning Commission finds this acceptable because it is unlikely the landscaping would survive if it was in the path of roof runoff. In addition, the applicant provided visual evidence of a similar senior living campus that have the plantings 36” from the wall and the spirit and intent of reducing the visual mass is still satisfied.

4. Section 15A.10.5 – allow more than 75% of the landscape islands be located around the perimeter of the parking lot instead of the interior.
   a. The Planning Commission finds this acceptable because the proposed parking lots are not expansive. It is unnecessary to create a greater distance from entryways for residents that may have limited mobility. The trees and other landscaping that were required to be within this 75% were transferred to the perimeter, so there has not been a reduction in overall landscaping.

5. Section 15A.10.11 – remove the requirement to create a separate deferred parking plan and agreement.
   a. The Planning Commission finds this acceptable because the Overlay Zone would allow up to 1,364 spaces but the applicant is only requesting 180, which is less than what is permitted by right too. Due to the type of development and site constraints it
is not likely, or feasible, to expand parking in the future. Furthermore, granting this departure would require the applicant to apply for a Major Amendment to the PUD if additional parking was requested in the future.

6. Sections 15A.11 and 15A.11.3 – allow the Assisted Living building to be considered a Multiple Family use under the Overlay Zone land use categories as it relates to architectural requirements.

   a. The Planning Commission finds this acceptable because the Congregate building and Cottages are Multiple Family, but technically the Assisted Living building would be considered Institutional. Institutional uses have a higher architectural requirement, but the Assisted Living building has the least amount of visibility. In addition, the development may lack cohesion if one building is treated differently than the others as it relates to architecture.

7. Section 15A.13.1.B – remove the requirement to vary the Cottage garage locations and/or recess them into the buildings.

   a. The Planning Commission finds the spirit and intent of the architectural requirements of the Overlay Zone are satisfied because the Cottage design does not result in a “flat-faced” building. The covered front porch and varying rooflines add depth and dimension, which is satisfactory.

8. Section 17.05.1.E – requesting two departures—(1) permitted to classify the “roads” as driveways so long as they are constructed to Ottawa County Road Commission standards because the site is not conducive to a 66’ road right-of-way; and (2) find the separation between access points is sufficient to accommodate vehicular circulation even though they do not comply with the OCRC spacing standards.

   a. Request 1 – the Planning Commission finds this acceptable because the “roads” will be constructed to OCRC standards and there is no potential for future road widening. Additionally, Fire/Rescue has approved the maneuverability as shown on the site plans, so there are no concerns about emergency vehicles having adequate access throughout the site. Furthermore, easements are still being provided for private and public utilities, so all organizations will still have access to their infrastructure. Lastly, driveways are considered private, so taxpayer dollars would not have to be spent on any “road” improvements.

   b. Request 2 – the Planning Commission finds this acceptable because the established minimum spacing standards are prohibitive to this site and would not improve vehicular circulation. The applicant has taken significant steps to improve maneuverability and reduce locations where vehicles could have negative interactions. Furthermore, because the “roads” are technically driveways the spacing standards could be considered a moot requirement.
9. Section 19.07.28.D – find the Assisted Living buildings frontage on the site’s main “road” is sufficient to comply with the Special Land Use requirement to front onto a paved roadway.

   a. The Planning Commission finds this acceptable because it has a direct relationship to departure request and finding #8, which finds the driveways to be “roads.”

10. Section 19.07.28.E – allow accessory buildings, including the maintenance building, pergolas, and gazebos, to have a setback less than 75’.

   a. The Planning Commission finds this acceptable because a 75’ setback for the maintenance building does not serve a good purpose based on the location, which is setback over 75’ from the south boundary line that abuts Cottage Hills Subdivision. Furthermore, there is a steep topographical incline along Lakeshore Drive, which will screen the maintenance building from view. The remaining accessory buildings are appropriately located within the courtyards and walking paths of the Assisted Living building, and should not be placed any farther from the building to ensure residents with limited mobility are able to utilize these amenities.


   a. The Planning Commission finds this acceptable because no good purpose is served by creating more distance for residents to travel from their vehicle to entryways. Additionally, parking in the rear would remove the transition area and screening between the project site and the Cottage Hills Subdivision. Furthermore, parking in the rear would remove the natural landscape, thus removing the view residents have from their rooms.

12. Section 20.12.5 and 20.12.6 – request a 6’-6” tall fence around the Memory Care Courtyard of the Assisted Living building because operational experience has found the additional 6” prevents patient escape.

   a. The Planning Commission does not find this request acceptable because the residents can be monitored to prevent escape; other memory care facilities do not have a fenced enclosure and do not have issues with escapees; and approving this request without compelling evidence that creates a distinction between this situation and any other where a person could escape over a fence, could set an undesired precedence.

13. Section 21.02 – requesting two departures (1) allow a three-story 37’-6” Congregate building; and (2) reduce the minimum floor area requirement to 685 square feet.

   a. Request 1 – the Planning Commission finds this acceptable because the building code requires ground floor units to ensure accessibility, and the requested height aligns with other departures granted for similar projects.

   b. Request 2 – the Planning Commission finds this acceptable because unlike a typical apartment building the Congregate offers additional common areas and amenities
within the building that are not typically offered at multiple family developments. Furthermore, if this additional common area were calculated as part of the minimum floor area the minimum unit size would be 815 square feet. Also, there are minimum age requirements to live in the Congregate building, so at most there are two tenants per dwelling, but according to the applicant 75% of the residents are single person households.

14. Section 24.04.2 – allow the minimum parking space size to be 10’ x 20’ because MSHDA-funded projects are required to have a minimum space of 10’ x 20’ to assist elderly residents with parking maneuvers.

  a. The Planning Commission finds this acceptable because documentation was supplied from MSHDA that establishes the 10’ x 20’ requirement.

**Motion** by Taylor, supported by Wagenmaker, to direct staff to draft a formal motion and report, which will recommend **conditional approval** of the Village at Rosy Mound PUD application, with those Zoning Ordinance compliance departures which were discussed and will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting. Lastly, the Planning Commission directs staff to publish the notice of public hearing for the Township Board. Minimally, the project will be subject to the following conditions:

1. Must obtain permits from all applicable agencies including the OCRC, OCWRC, State of Michigan etc. Permits shall be obtained before building permits are issued.

2. The Developer shall enter into a PUD Contract with the Township, which will be drafted by the Township Attorney and approved by the Township Board prior to receiving a building permit.

3. The Developer shall enter into a modified version of the typical Private Road Maintenance Agreement with the Township, which will be drafted by the Township Attorney and approved by the Township Board prior to receiving a building permit.

4. The Township and Developer shall enter into a Payment in Lieu of Taxes (PILOT) agreement pursuant to the MSHDA requirements. The Agreement shall be drafted by the Township Attorney and approved by the Township Board prior to receiving a building permit.

5. The Developer shall provide documentation from the Grand Haven Board of Light and Power regarding streetlights—if they will be metered or if a Special Assessment Lighting District is required. This subject must be satisfied prior to receiving an occupancy certificate.

6. The Developer shall incorporate additional shielding to light fixtures along the southern boundary line that abuts the Cottage Hills
Subdivision as well as the Northwest corner of the site that abuts the Rosy Mound Elementary School to ensure light does not spill into the adjacent dwellings.

7. Revise Sheet C-205 to reflect the true open space figures presented on Sheet L-100. This will ensure there is no confusion regarding the proposed 12.03 acres of designated open space.

8. Add an additional sidewalk from Cottage 1 to Rosy Mound Drive to provide greater walkability on the site.

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

VI. ADJOURNMENT

Without objection, the meeting adjourned at 9:14 p.m.

Respectfully submitted,

Stacey Fedewa
Acting Recording Secretary
GRAND HAVEN CHARTER TOWNSHIP

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Fee</th>
<th>Escrow</th>
<th>Sewer Escrow**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overlay Zone</td>
<td>$310</td>
<td>$2,500</td>
<td>Main Extension</td>
</tr>
<tr>
<td>Non-Overlay Zone</td>
<td>$300</td>
<td>$1,500</td>
<td>Lift Station</td>
</tr>
</tbody>
</table>

Applicant Information

Name: RW Properties I LLC
Phone: 616-842-2425
Fax: 616-842-8939
Address: 950 Taylor Avenue, Grand Haven, MI 49417
Email Address: swoodruff@reendersinc.com

Owner Information (If different from applicant)

Name: Ottawa County Road Commission - Brett Laughlin, Managing Director
Phone: 616-842-5400
Fax: 616-850-7237
Address: 14100 Lakeshore Drive, Grand Haven, MI 49417

Property Information

Address/Location: 14100 Lakeshore Drive, laying south of Rosy Mound Drive, btw US31 & Lakeshore Dr.
Parcel Number: 70 - 07 - 04 - 100 - 028
Current Zoning: Service Professional
Adjacent Zoning: North: SP/R-1 South: R-1
Master-Planned Zoning: Medium-High Density Residential PUD
Size (acres): 26.92
Zoning Requested: Residential PUD
Consistent with Master Plan? Yes

Other Information

Does Property Abut Township Border? No
Present Use of the Subject Property? Vacant
Number & Type of Existing Structures? None
Subject Property Located on a Paved Road? Yes
Municipal Water within 2,700 Feet of Subject Property? Yes
Municipal Sewer within 2,700 Feet of Subject Property? Yes

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance Books and following the procedures and requirements as specified in Chapters 17 and 23 (and Chapter 15A if located in the Overlay Zone), and any other applicable ordinances. Initially, submit five copies of the required information for staff review. Once staff has granted tentative approval, additional copies will be required as requested by staff.

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

Signature of applicant: [Signature]
Date: 8/11/16

Last Revised 2/8/2016
* 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 sanitary sewer main, an additional $5,000.00 escrow fee shall be required, and an additional $2,000.00 escrow fee shall be required for the installation of a lift station.

NOTICE

IF I PLAN TO SPLIT THE PARCEL(S) AFTER THE ZONING APPROVALS ARE GRANTED, I REALIZE THAT I MUST APPLY FOR A LAND DIVISION WITH THE ASSESSING DEPARTMENT. ALL LAND DIVISION REQUIREMENTS MUST BE CONFORMED TO BEFORE PROCEEDING WITH FURTHER DEVELOPMENT.

Signature of applicant  
8/11/14  
Date

For Office Use Only

Date Received  
Fee Paid?

Materials Received:  
Site Plans  
Location Map  
Survey  
Legal Description

Dated copy of approved minutes sent to applicant?  
Date Sent  

PLANNING COMMISSION USE ONLY

Approval  

Tabled  

Denied  

Conditional Approval

The following conditions shall be met for approval:

Signature of Planning Commission Chair  
Date

Last Revised 2/8/2016
2. WATER MAIN SHALL BE PLACED A MINIMUM OF 60" BELOW CENTERLINE ELEVATION.

1. The 12" WATERMAIN shall be placed a minimum of 60" below the centerline elevation.

- Address: 0 Lakeshire Dr
- Lot 14
- Lot 12
- 15201307
- Prop. Gas Line
- Prop. Electric Underground
- Prop. Water Main
- Prop. Storm Sewer
- Prop. Concrete (Standard Duty)
- Prop. Concrete Stamp: 24" CPP STM.

- Rim Elev. = 596.05
- Inv. Elev. = 590.89
- Rim Elev. = 602.08
- Rim Elev. = 601.29

- 10" PVC(N) = 595.14
- 10" PVC(SE) = 587.46
- 15" PVC(E) = 581.92
- 15" PVC(NW) = 585.45
- 15" PVC(S) = 582.85
- 15" PVC(SW) = 582.79

- 12" CPP STM.
- 12" Water Main
- 12" Water Main
- 12" Water Main

- Prop. 6" San.
- Prop. 2" San.

- 8" Sanitary
- 6" Domestic

- True Corner Location
- Existing Building
- Proposed Relocated

- Park Place Ctr.
- 950 Taylor Ave.
- Storm Manhole #159
- C. O. Railroad

- Phone: 616.575.5190

- Grand Rapids, MI 49503
- Grand Haven, MI 49417

- Address: N/A

- S. Date: 01.06.17
- V. Date: 03.08.17

- Owner: Grand Haven Area Public Schools

- Prop. Gas Line
- Prop. Electric Underground
- Prop. Water Main
- Prop. Storm Sewer
- Prop. Concrete (Standard Duty)
- Prop. Concrete Stamp: 24" CPP STM.
AS APPROVED BY THE OWNER.

COLOR SHALL BE BRONZE OR

LED LIGHT FIXTURE ON ALUM. POLE

ALUM. POLE - TYP.

NO SCALE

FIN. GRADE OR PVMNT

INDICATES SITE LIGHTING POLE =

SITE LIGHTING DETAIL

PER ELECT DRAWINGS &

REINF CONC BASE

POLE MFR’S REQ’T'S

PARKING OR

CURB

FINISHED CONC BASE

FOR LIGHT & POLE SPECIFICATIONS

REFER TO ELECT DRAWINGS

AND LOCATIONS OF LIGHTING

PER MFR &

ELECT. DWGS. 2'-0" AFG WHEREADJ. TO PARKING

20'-0"

DRIVEWAY

(EXTERIOR LIGHTING TO MEET

ZONING ORDINANCE REQ’S. AS

SPECIFIED IN SECTION 20A)

SEE SITE PHOTOMETRIC FOR LOCATION
The D-Series Pole Mount LED Area Luminaire is a sturdy, UL-Listed fixture that displays an ultra-modern design, enabling it to fit into any landscape. It is completely weatherproof and features a die-cast aluminum design with an anodized powder coat finish for a sleek appearance. The fixture includes a 3-year warranty on the electrical components and 5 years on painted parts. The fixture is composed of a polished stainless steel housing, a die-cast aluminum arm, and a glass lens, providing resistance to corrosion and enhancing its longevity. The fixture is equipped with a 360° rotating base for precise positioning and adjustment. It is rated for wet locations and is compatible with most standard mounting options. The fixture can be used in a variety of applications, such as parking lots, streets, and public spaces.
GENERAL NOTE:

APPLICABLE CODES/DESIGN STANDARDS

MICHIGAN RESIDENTIAL CODE/2015

INTERNATIONAL CODE COUNCIL/INTERNATIONAL FIRE CODE/2015

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY "STANDARDS OF DESIGN"

APPLICABLE CODES/DESIGN STANDARDS

ASSISTED LIVING BUILDING

CONGREGATE APARTMENT BUILDING

1. SPECIFIED FIRE RATING

MICHIGAN RESIDENTIAL CODE/2015

CARBON MONOXIDE ALARMS TO COMPLY WITH MRC/SECTION R315 AND UL 2034 AND UL

SMOKE ALARMS TO COMPLY WITH NFPA 72 AND MRC/SECTION R314.

CODE ADAPTATION AT TIME OF CONSTRUCTION WILL BE APPLICABLE.

GENERAL NOTE:

1. WASTE COLLECTION ROOMS
   INCLUDING SUPPORTING (1) HOUR

FIRE PROTECTION SYSTEMS:

FIRE RATED SEPARATION AND FIRE SUPPRESSION U.O.N.

HAZARDOUS AREA SEPARATION REQUIREMENTS PER NFPA 101

FEDERAL FAIR HOUSING ACCESSIBILITY GUIDELINES - RESIDENT ROOMS

ROOF CONSTRUCTION

EXIT ACCESS CORRIDOR

FIRE (SEPARATION) WALL                     (2) HOUR

BUILDING ELEMENT FIRE RESISTANCE RATINGS

The Village

Dwelling Units Separation               (1) HOUR                  (1) HOUR

BASEMENT, SUBBASEMENT & MECHANICAL ROOMS (1) HOUR

DUCTWORK                        (1) HOUR                  (1) HOUR

SPACIOUS SLEEPING AREA

SMOKE DETECTORS WITHIN DWELLINGS AT CORE & WINGS:

CENTRALLY LOCATED IN THE HALL OR AREA GIVING ACCESS TO EACH SEPARATE SLEEPING AREA, AND IN EACH

SMOKE DETECTORS WITHIN DWELLINGS AT A POINT

APPROVED, SINGLE OR MULTIPLE-STATION SMOKE DETECTORS SHALL BE INSTALLED IN ALL DWELLING UNITS, AND IN ALL LIGHT

CONCEALED COMBUSTIBLE SPACES SUCH AS FLOOR-CEILING ASSEMBLIES & ATTICS PER NFPA 13, THE

SMOKE CONTROL NOT REQUIRED IN ATRIUMS CONNECTING ONLY 2 STORIES PER EXCEPTION

SECTION 404.6, EXCEPTION #3, NOTED IN IBC 2012 COMMENTARY PG. 4-32.

OUTDOOR FIRE EXTINGUISHERS

REMOTE SUPERVISING STATION, OR PROPRIETARY SUPERVISING STATION, UNLESS OTHERWISE APPROVED OR

IF A FIRE PROTECTION SYSTEM IS PROVIDED:

FIRE SPRINKLER SYSTEMS

FIRE SPRINKLER SYSTEMS TO BE PROVIDED:

AUTOMATIC FIRE SUPPRESSION SYSTEMS TO BE PROVIDED:

SMOKE DETECTORS IN 'BARRIER WALLS' SHALL BE INSTALLED IN ALL DWELLING UNITS, AND IN ALL LIGHT

CLEARANCES AND WALL CLEARANCES MAY BE ABOLISHED IN DWELLING UNITS, AND IN ALL LIGHT

SMOKE CONTROL NOT REQUIRED IN ATRIUMS CONNECTING ONLY 2 STORIES PER EXCEPTION

SECTION 404.6, EXCEPTION #3, NOTED IN IBC 2012 COMMENTARY PG. 4-32.

OUTDOOR FIRE EXTINGUISHERS

REMOTE SUPERVISING STATION, OR PROPRIETARY SUPERVISING STATION, UNLESS OTHERWISE APPROVED OR

FIRE SPRINKLER SYSTEMS TO BE PROVIDED:

AUTOMATIC FIRE SUPPRESSION SYSTEMS TO BE PROVIDED:

SMOKE DETECTORS IN 'BARRIER WALLS' SHALL BE INSTALLED IN ALL DWELLING UNITS, AND IN ALL LIGHT

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FIRE SPRINKLER SYSTEMS TO BE PROVIDED:

AUTOMATIC FIRE SUPPRESSION SYSTEMS TO BE PROVIDED:

SMOKE DETECTORS IN 'BARRIER WALLS' SHALL BE INSTALLED IN ALL DWELLING UNITS, AND IN ALL LIGHT

CLEARANCES AND WALL CLEARANCES MAY BE ABOLISHED IN DWELLING UNITS, AND IN ALL LIGHT

SMOKE CONTROL NOT REQUIRED IN ATRIUMS CONNECTING ONLY 2 STORIES PER EXCEPTION

SECTION 404.6, EXCEPTION #3, NOTED IN IBC 2012 COMMENTARY PG. 4-32.
The Village at Rosy Mound
Grand Haven Township, Michigan

CONGREGATE BLDG
SECOND FLOOR

BUILDING PLAN

SCALE: 1/16"=1'-0"

Developer: Reenders Inc.

AREA: 46,347sf

COMMON AREAS

Lounge (open to lobby)
Storage/J.C.
Resident Storage

TOTAL:
Arts & Crafts 755
Guest Suite 602
Salon 377
Laundry Lounge 135
Laundry 151

UNIT COUNT

UNIT 'A'      685sf (1 BED/1 BATH) 16
UNIT 'B'      937sf (2 BED/1.5 BATH) 11
UNIT 'B2'    937sf (2 BED/1.5 BATH upgraded) 2
UNIT 'B3'  1106sf (2 BED/1.5 BATH deluxe) 2
UNIT 'B4'  1106sf (2 BED/2 BATH/ deluxe upgraded) 1
UNIT 'C'      937sf (2 BED/2 BATH) 3
UNIT 'C2'    937sf (2 BED/2 BATH deluxe) 1
UNIT 'C3'  1208sf (2 BED/2 BATH deluxe upgraded) -
UNIT 'A2'    790sf (1 BED/1 BATH deluxe) -
UNIT 'C4'  1364sf (2 BED/2 BATH deluxe upgraded) -
UNIT 'Ba'    983sf (2 BED/1.5 BATH) 2
UNIT 'A3'    794sf (1 BED/1 BATH deluxe) 1

TOWNSHIP REVIEW
1/6/17
TOWNSHIP RESUBMITTAL
4/10/17

838 W. Long Lake #250
Bloomfield Hills, MI 48302
Email:pai@progressiveassociates.com
248 540-5940    Fax 248 540-4820

PUD SUBMISSION
10/25/16

TOWNSHIP REVIEW
3/8/17

COMPOSITE SECOND FLOOR BUILDING PLAN
ASPHALT SHINGLES
37'-6" BUILDING HT.
MID-ROOF HT.
VINYL HORIZ. SIDING
STONE
VINYL 'SHAKE' SIDING
13'-6" Clear Drive Ht.
DECORATIVE LOUVER
VINYL SHUTTERS
DECORATIVE WINDOW HEAD
VINYL HORIZ. SIDING
VINYL 'SHAKE' SIDING
DECORATIVE LOUVER
VINYL SHUTTERS
DECORATIVE WINDOW HEAD
ALUMINUM RAILING
ASPHALT SHINGLES
VINYL HORIZ. SIDING
VINYL 'SHAKE' SIDING
STONE
VINYL SHUTTERS
DECORATIVE WINDOW HEAD
ALUMINUM RAILING
ASPHALT SHINGLES
VINYL HORIZ. SIDING
VINYL 'SHAKE' SIDING
STONE
VINYL SHUTTERS
DECORATIVE WINDOW HEAD
ALUMINUM RAILING
ASPHALT SHINGLES
VINYL HORIZ. SIDING
VINYL 'SHAKE' SIDING
STONE
VINYL SHUTTERS
DECORATIVE WINDOW HEAD
ALUMINUM RAILING
ASPHALT SHINGLES
VINYL HORIZ. SIDING
VINYL 'SHAKE' SIDING
STONE
VINYL SHUTTERS
DECORATIVE WINDOW HEAD
ALUMINUM RAILING
ASPHALT SHINGLES
VINYL HORIZ. SIDING
VINYL 'SHAKE' SIDING
STONE
VINYL SHUTTERS
DECORATIVE WINDOW HEAD
ALUMINUM RAILING
ASPHALT SHINGLES
The Village at Rosy Mound
Grand Haven Township, Michigan
ASSISTED LIVING
Phase II

PHASE II

UNIT 'A'   500sf (1 Bed/1 Bath)
UNIT 'A2' 811sf (2 Bed/2 Bath)
UNIT 'B'   584sf (1 Bed/1 Bath)
UNIT 'C'   318sf (Studio)
UNIT 'A1' 514sf (2 Bed/2 Bath)
UNIT 'D'   249sf (Studio)
UNIT 'S'   584sf (Shared 1 Bath)

UNITS Total
25
12
4
4
6
2

TOTAL: 55

AREA: 51,797sf
ASSISTED LIVING BUILDING PLAN - PHASE III

SCALE: 1/16"=1'-0"

TOTAL UNITS: 55

UNIT 'A' 500sf (1 Bed/1 Bath)
UNIT 'A2' 811sf (2 Bed/2 Bath)
UNIT 'B' 584sf (1 Bed/1 Bath)
UNIT 'C' 318sf (Studio)

AREA: 44,267sf

TOWNSHIP REVIEW
3/8/17
TOWNSHIP RESUBMITAL
4/10/17
The Village at Rosy Mound
Grand Haven Township, Michigan
ASSISTED LIVING
EXTERIOR
ELEVATIONS
SK2.4
15-140
VC
DT
5/9/16
10/25/16
PUD SUBMISSION
Developer:
Reenders, Inc.
ASSISTED LIVING - PARTIAL FRONT ELEVATION
SCALE: 1/8"=1'-0"
ASSISTED LIVING - FRONT ENTRY
SCALE: 1/8"=1'-0"
ASSISTED LIVING - SIDE ELEVATION
SCALE: 1/8"=1'-0"
ASSISTED LIVING - END ELEVATION
SCALE: 1/8"=1'-0"
ASSISTED LIVING - PARTIAL REAR ELEVATION
SCALE: 1/8"=1'-0"
MATERIAL LEGEND
ASPHALT SHINGLES:
STONE:
VINYL SIDING:
SHAKE SIDING:
SOFFIT / FASCIA / FRIEZE:
BAND & DECK FASCIA:
WINDOW SURROUND:
VINYL WINDOWS:
VINYL CORNER TRIM:
GABLE VENT:
EXTERIOR DOOR JAMBS:
STORE FRONT/ENTRY DOOR:
PREFAB. COLUMNS:
BALCONY/RAILING:
VINYL SHUTTERS:
PATIO & MECH. DOOR:
STORM DOOR:
GARAGE PORT/ CARPORT:
GARAGE DOOR:
BALCONY DECKING:
SECTION 15A.11.3.G - FRONT BUILDING FACADES MUST PROVIDE
AT LEAST 15% GLASS WINDOWS
FACADE AREA: 1 - 1,984
2 - 1,947
3 - 2,593
5 - 2,066
TOTAL:  8,761sf
WINDOW AREA: 1 - 340
2 - 278
3 - 467
5 - 248
WINDOWS PROVIDED:  1,378sf (15.7%)
WINDOWS REQUIRED:  1,314sf (15%)
FACADE AREA: 171sf
WINDOW AREA: 45sf
TOWNSHIP REVIEW
3/8/17
TOWNSHIP RESUBMITTAL
4/10/17
The Village at Rosy Mound
Grand Haven Township, MI
developer: REENDERS, INC.
The Village at Rosy Mound
Grand Haven Township, MI
developer: REENDERS, INC.
THE VILLAGE AT ROSY MOUND

The Rosy Mound PUD development plans include as the first phase, a Congregate building which will provide 116 units of independent rental housing for those 55 years of age and older. Designed specifically with seniors in mind, the congregate building will include one and two bedroom apartments and provide optional services such as housekeeping, laundry and meals. These units range in size from 685 to 1,364 square feet in size. In addition to the living units, the building contains many common areas that are available for the residents’ use such as library, game and billiards room, fitness center, arts and craft room, theater, laundry rooms, clinic, resident storage, guest suite, hair salon and central and private dining rooms. The Village units will each have a covered deck or patio and the building will provide a large central outdoor patio with tables, chairs and umbrellas. There is also space within the building for administrative uses including offices, commercial kitchen, service laundry, and maintenance.

We have secured financing under the MSHDA Gap Funding Program NOFA and provided all local approvals are obtained, site preparation and construction of the Congregate building will commence in October of 2017 and be completed in the fall of 2018.

The second component of the development will be a 110 unit senior assisted living, offering studio, one and two bedroom apartments to area seniors over the age of 62 that require personalized assistance and care. These units range in size from 249 to 811 square feet and most do not have any kitchens facilities. In addition to the living units, the building contains many common areas such as living room/lounge areas, dining rooms, billiards room, activities room, fitness room, hair salon, and spa room for the residents and administrative, care and maintenance areas.

The assisted living building will be built in two phases as demand for additional assisted living units is evident in the market area. It is currently anticipated that the first phase of the assisted living building will be started in the Summer of 2019 and opened in Spring 2020 with the second phase to be started within two additional years.

The third component of the development will be 9 single-story buildings containing 27 Cottage units with attached garages. The Cottages will be two bedroom, one and one-half bath units with a living area of 1,122 square feet. The first 4 buildings containing the 13 Cottages located on the east side of the entrance drive closest to the congregate building will be constructed in conjunction with the Congregate building in 2017-2018 with the remaining units to be built in response to market demand.
April 10, 2017

Ordinance Narrative | Section 23.06.7

Village of Rosy Mound
Grand Haven Township, Ottawa County, MI

15.2306 SECTION 23.06 FINAL SITE PLAN REVIEW

7. Site plans which relate to all uses or structures (permitted and special land uses) shall not be approved unless the Planning Commission affirmatively determines that each of the following standards have been fulfilled:

A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall 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 shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

- This project by its nature will promote the public health, safety, and welfare of the Township residents by providing varying tiers of elderly residences and care. The project is situated on a large property and will utilize area between two dunes to locate the structures while preserving natural wooded buffers and wetlands while providing a transition from institutional uses (elementary school, Road Commission) to residences to the south.

B. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

- The sites main ingress/egress point will be onto Rosy Mound Road which will provide convenient access to Lakeshore Drive and US 31. Care has been taken to try to align driveways off the main drive where possible and to limit the number of intersections. Fire truck and commercial truck turning plans have been provided to demonstrate the maneuverability of the site. An emergency access drive will be constructed through the elementary school property to Lakeshore Drive.

C. The arrangement of public or private vehicular and pedestrian connections to existing or planned street in the area shall be planned to provide a safe and efficient circulation system for traffic within the Township.

- An internal pedestrian sidewalk system is being proposed which will connect through the Elementary School to the walk along Lakeshore Drive. There will also be a sidewalk along Rosy Mound for future connection. The sites main ingress/egress point will be onto Rosy Mound Road which will provide convenient access to Lakeshore Drive and US 31.
D. Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission may require 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.

- The proposed project will leave intact a large area of wooded wetlands along with a natural wooded buffer along the south property line and natural wooded slope along Lakeshore Dr. As many trees will be preserved and protected as possible.

E. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be 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.

- The proposed project will leave intact a large area of wooded wetlands. While there is no true drainage course on the site, the proposed discharge from the projects detention basins will be directed toward the wetlands, thereby enhancing the wetland features. Currently the development area’s runoff is either directed toward the neighboring properties or infiltrates in natural low spots.

F. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.

- All Buildings and Dwelling Units have been designed to provide the maximum setbacks from the adjacent properties and roadways, while utilizing the existing trees and topography as a natural buffer. All dwelling units are designed to have a minimum of R-19 insulation in the exterior walls with insulated, double pane windows. Site landscape materials have been designed to provide variety and visual interest for residents and visitors. All exposed mechanical/electrical equipment will be screened from view, using landscape materials and architectural screens.

G. All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access as requested by the Fire/Rescue Department.

- Care has been taken to design the site to provide the needed emergency vehicle access throughout the site. A fire truck turning plan is provided to demonstrate the maneuverability of the site. An emergency access drive is provided through the Elementary School lot to Lakeshore Drive, as well as a widened main entrance drive to provide additional clearance for emergency vehicles.

H. All streets and driveways shall be developed in accordance with the Township Subdivision Control Ordinance, the Ottawa County Road Commission, or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this Ordinance or any other Township Ordinance. Except that the Planning Commission may impose more stringent requirements than those for the Road Commission or Department of Transportation with respect to driveway location and spacing. In addition, sidewalks may be required if determined to be necessary or appropriate for pedestrians and non-motorized vehicles.

- The main shared driveway will be constructed to OCRC road standards while operating as a private driveway. Sidewalks have been provided throughout the site for pedestrian access and mobility.

I. Appropriate measures shall be taken to ensure that removal of surface water will not adversely affect neighboring properties of the public storm drainage system. Provisions shall be made to accommodate stormwater, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas
shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.

- The stormwater collection and treatment system will be designed to OCWRC standards and will reduce the amount of stormwater runoff that is currently flowing to neighboring properties. All catch basins will have sumps and hoods and captured runoff will be directed to one of two detention basins onsite. The low flow discharge from the basins will be routed to the wetlands.

J. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets. Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.

- All Site Lighting will be designed to comply with Chapter 20A “Outdoor Lighting Requirements” of the Grand Haven Charter Township Zoning Ordinance and the submittal Photometric Plan. All Site Lighting fixtures will be energy efficient LED luminaires with fully shielded design classification which will minimize glare and obtrusive light.

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 of public streets, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height. The finished side of any wall, fence, or other screen shall face adjacent properties.

- Loading areas and dumpster facilities will not be visible from the neighboring residences to the south or from either Lakeshore Drive or Rosy Mound Road. The dumpster enclosures will be properly screened.

L. Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits from the site shall be determined with reference to the number of dwelling units or other land uses within the site, the nature and location of the surrounding streets, the effect of traffic in the area, nearby topography, and other factors. In those instances where the Planning Commission finds that an excessive number of ingress or egress points may occur on abutting street, thereby diminishing the carrying capacity of such street, and compromising public safety, the Planning Commission may limit such access points and require service access drives within the site.

- There will be one main entrance/exit onto Rosy Mound Road. Due to sight distances a second entrance was not advisable from the OCRC. Due to topography constraints an entrance/exit onto Lakeshore Drive was not feasible. There will be a second emergency only connection through the Elementary School lot to Lakeshore Drive.

M. Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary County, State, Federal, and Township permits before final site plan approval or an occupancy permit is granted.

- The intent is to conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. We are currently in the process of working with OCRC and OCWRC for their approval
N. Appropriate fencing may be required by the Planning Commission around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.

- We do not anticipate the need for fences to minimize or prevent trespassing or other adverse effects on adjacent lands due to the nature of this project.

O. The general purposes and spirit of this Ordinance and the Master Plan of the Township shall be maintained.

- It is our intent to maintain the general purpose and spirit of the Ordinance by complying as fully as possible, and working within the purpose and spirit of the Ordinance otherwise. This project does comply with the Master Plan of the Township for this parcel.
Narrative | Departure Requests

Village of Rosy Mound
Grand Haven Township, Ottawa County, MI

11.04 - Request departure from the 50’ rear yard setback for the cottages to the internal parcel line due to the cottage area being regulated as R-3.5. A 30’ rear yard setback to the internal parcel line is provided due to the unusual lot configuration and the need to add the internal parcel lines for the project funding.

12.04 - Request departure from the minimum floor area per dwelling unit of 884 square feet. In the Congregate Building we are proposing a unit square footage of the following:

Typical Unit Plans (See Sheet SK1.1, SK1.4 and SK1.5 for Supplemental Information)

| Unit “A” (1BR)          | 685 sf  | w/o Balcony/Patio |
|                        | 741 sf  | w/Balcony/Patio   |
| Unit “B” (2BR)         | 937 sf  | w/o Balcony/Patio |
|                        | 993 sf  | w/Balcony/Patio   |
| Unit “b3” (2BR)        | 1106 sf | w/o Balcony/Patio |
|                        | 1162 sf | w/Balcony/Patio   |

We believe this reduced square footage for the 1 Bedroom Unit is appropriate for this zone and development due to approximately 14,000 s.f. of shared common area included throughout the building. This shared area provides additional amenities and services such as Laundry/Lounge, Central Dining Room, Salon, Billiards, Library/Computer Room, Fitness Room, Theater, Clinic, Arts & Crafts, and Resident Storage Areas, which will reduce the need for the additional square footage in each unit. This also allows for a reduced area for the residents to clean and maintain.

15A.04.5 – Request departure from requiring a separate special land use permit to relocate an existing utility pole. We are proposing to relocate an existing approximately 10’ to gain clearance from one of the proposed buildings. The option of routing the lines underground was explored and would require the line to either be below the detention basin or under pavement. Both these options are not preferable to the utility company or the developer.

15A.10.3 – Request departure to allow plantings along the maintenance strip instead of along the building wall. This will allow the design to still reduce the visual impact of the walls while complying with MSHDA requirements for planting distance from windows and maintain the preferred building design without downspouts.

15A.10.5 – Request departure from the requirement that 75% of the required parking lot landscaping be within the interior of the parking lot and not the edges. Due to the layout of the parking areas, which have a large portion of the spaces either covered or garages, there is limited need or availability to add islands to break up the parking areas. These parking areas are relatively small and not an expanse of multiple rows of parking.

15A.11 & 15A.11.3.C - Request departure to allow for the use of vinyl siding for the Assisted Living Building. This facility is intended to complement the adjacent building to maintain the Residential Character of the Development.
15A.13.1.B – Request departure garage locations to be varied and/or recessed. This is needed due to the type of resident (seniors), for their safety based on operational experience, and to help avoid hitting building walls if the garages were recessed.

17.05.1.E – Request departure to provide flexibility with the distance separating driveways off of the main private drive. The drive will be constructed to OCRC standards but will operate more like a circulation aisle of a parking lot. An effort has been made to space out the driveway connections, reduce the opening widths, and to align them where practical. Backing out into the main shared drive has been reduced or eliminated. The layout and configuration that we have provided will provide better safety and circulation than other large residential developments, such as the Timber View Apartments. This request for departure is based off details 2 & 8 from the OCRC Rules for Driveways, Banners & Parades.

17.05.2.A.4 – Request departure to treat the shared private drive as a road for compliance with the ordinance. The shared private drive will be constructed as a 30’ wide road built to OCRC standards.

17.05.6 – Request departure for the use of existing trees and vegetation along the south property line as a transition area. The current grading would provide a minimum of 30’ undisturbed natural buffer.

19.07.28.D – Request departure for two parcels which front on Lakeshore Drive, but egress from parking lots will be onto Rosy Mound. The request is due to the site constraint of the large slope along Lakeshore Drive preventing a safe egress drive being constructed. The two parcels will have egress from a shared private drive which connects to Rosy Mound. Utilizing a roadway would require dedicating right-of-way and due to the uniqueness of the site, it is not feasible to have a right-of-way.

19.07.28.E – Request departure for the setback of the Maintenance Garage and the Assisted Living Building to the interior parcel lines. Due to the funding requirements for this project, the PUD needs to be divided into separate parcels. The 75’ setback is maintained from the Assisted Living building and Maintenance Garage to the residential abutters to the south, and to the Lakeshore Drive ROW. The interior parcel lines need to encompass the detention basin and shared private drive for the Congregate Building.

19.07.28.H – Request departure for parking at the front of the buildings. While this is not technically the front yard, due to the shared private drive, parking at the front of the two main buildings provides convenience and ease of access for the residents and visitors, most of which will be elderly. The parking has also been separated into smaller lots so there is not one large parking field in the front of the buildings.

20.12.5-6 – Request departure for a fence height of 6’-6” for the Memory Care Courtyard. This is needed for residence safety based on operational experience.

21.02 – Request departure for a 3 story building greater than 35 feet in height. The proposed congregate building will be 3 stories and a mid-roof height of 37’-6”. The height above 35’ will be architectural features and a sloped roof. The impact of the additional height will be mitigated by the grade difference to Lakeshore Dr. and the large setback from both Lakeshore Dr. and Rosy Mound Road. The site will also transition to a single story building adjacent to the residential development to the south.

24.04.2 – Request departure for parking spaces sized 10’x20’ due to MSHDA requirement for the larger spaces. This will assist the elderly residents with parking maneuvers. The applicable MSHDA requirement has been attached.
Township - Traffic Study

Village of Rosy Mound
Grand Haven Township, Ottawa County, MI

Reference: 15A.05.7 Traffic Study

Based on our examination of similar existing properties that we currently manage we do not believe that a traffic impact study is necessary. Our estimates show that the traffic generated by the congregate building would come out to .75 trips per unit, per day. This would be 87 trips per day for the 116 units in Phase I, with the majority of these trips falling during non-peak hours. Upon completion the 2 phases of the assisted living we would be looking at an additional 96 units of general assisted, and 18 units of memory care. We believe that this would generate roughly another 137 trips daily. These trips would be spread throughout the entire day, and would primarily consist of our 3 shifts of employees, supplier drops offs, and visitors. We do not ever anticipate the peak hour traffic to exceed 100 vehicle trips or approach the 1000 daily trips.
Township - Parking Policy

Village of Rosy Mound
Grand Haven Township, Ottawa County, MI

Reference: 15A.05.13 Parking Study

A survey of the parking requirements at the ten senior independent/congregate developments managed by Heritage Property Management was conducted in June on 2016. The ten developments represented 984 units of which 939 units were occupied. The number of resident cars registered at that time was 563, or 60% of the unit residents had a car. The percentage of resident cars per unit at the various developments ranged from a low of 52% to a high 68%.

The Michigan State Housing Development Authority requires a minimum of 80% parking spaces for a senior living development, or 93 spaces.

The parking requirement for The Village at Rosy Mound was determined as follows:

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<th>Type</th>
<th>Calculation</th>
<th>Spaces</th>
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<tbody>
<tr>
<td>Resident Parking</td>
<td>116 units x 60%</td>
<td>70</td>
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<tr>
<td>Staff Parking</td>
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<td>3</td>
</tr>
<tr>
<td>Visitor Parking</td>
<td></td>
<td>25</td>
</tr>
<tr>
<td><strong>TOTAL PARKING SPACES</strong></td>
<td></td>
<td><strong>98</strong></td>
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</table>


Township - Green Building Policy

Village of Rosy Mound
Grand Haven Township, Ottawa County, MI

The Village at Rosy Mound will be designed and constructed in accordance with the Michigan State Housing Development Authority’s Affordable Green New Construction policy.

The policy covers site improvements which require landscaping appropriate to the site’s soil and microclimate and prohibits the use of any invasive species and the use of efficient irrigation.

The development will focus on water conservation with the use of water conserving plumbing fixtures.

The development will focus on energy efficient with the use of ENERGY STAR appliances and hot water heaters, will use high efficient lighting throughout and will install daylight sensors on outdoor lighting. Heating and cooling equipment will be appropriately size to ACCA standards.

The development will use interior paints, primers, adhesives and sealants, and carpet system that utilize low or no volatile organic compounds.

The development will provide for the collection and storage of materials for recycling and will provide the tenants and staff with a Manual that explains the intent, benefits, use and maintenance of green building features.
02000 Site Work

2001.13 Parking Ratios

- Parking for developments for senior residents shall be provided in the following ratio: 1.0 space per unit or greater.
- Parking for developments providing congregate services and marketed as "congregate" developments may be provided at 0.8 space per unit or greater.

02001.17 Parking Spaces

- Parking spaces shall be a minimum of 10' in width x 20' in length.

02001.3 Patios

- Dwelling units at grade shall have patios with a minimum area of 45 sq. ft.
- Patios shall be concrete. (Refer also to 00150 C)

02001.6 Maintenance Strips

- A maintenance strip, not less than 18" in width, to protect siding from mowing operations, shall be provided along all non-masonry building facades.

02870 Seating

- In housing for senior residents, exterior seating and common area seating shall have backs and arms.
June 9, 2016

Ms. Shirley Woodruff
Reenders, Inc
950 Taylor Avenue
Grand Haven, MI 49417

Re: Amended Protected Species Evaluation – 14110 Lakeshore Drive

Dear Ms. Woodruff:

Pursuant to your request, an additional site investigation was conducted on June 2, 2016 to re-evaluate the site in response to the Michigan Natural Features Inventory (MNFI) Rare Species Review and evaluation, dated May 23, 2016 (attached). This site evaluation was conducted on the above-referenced 27-acre site to identify potential habitat for the following federally-protected and/or state-protected species:

- Pitcher's thistle (*Cirsium pitcheri*), Threatened
- Rufa red knot (*Calidris canutus rufa*), Threatened
- Indiana bat (*Myotis sodalis*), Endangered,
- Northern long-eared bat (*Myotis septentrionalis*), Threatened
- Wild rice (*Zizania aquatic var. aquatic*), Threatened

This habitat evaluation included a review of information gathered from the United States Fish and Wildlife Service (USFWS) and MNFI databases and in-office review and two site evaluations. The intent of this report is to provide a brief description of the subject species and a brief evaluation of potential habitat observed at the site. Species of special concern are not addressed in this report.

**Pitcher’s Thistle**

Pitcher’s Thistle is a threatened plant that grows only on shorelines or sand dunes of the Great Lakes. This shoreline plant requires open, windblown sand dunes or low, open beach ridges. Pitcher’s Thistle withstands the desert like environment of Michigan’s sand dunes by having a root capable of penetrating more than 6 feet into the sand. The silvery hairs covering the plant aid in water retention and sunlight reflection. MNFI indicates that suitable habitat exists within a 1.5-mile search buffer (Lake Michigan shoreline).

The subject 27-acre parcel is predominately forested with small areas of stabilized dune features. Two small areas of open (un-vegetated) sand were identified within the central portion of the site. These areas of sand appear to have been created by past earth moving activities and/or pedestrian traffic. No dune blow outs are present within the site. The small areas of open sand are not exposed to significant wind erosion or other dune processes, therefore, are not potential habitat areas for this plant. No pitcher’s thistle was observed within the parcel. Therefore, this project will have “no effect” on pitcher’s thistle.
Rufa Red Knot

The rufa red knot is a threatened bird species that migrates annually between its breeding grounds in the Canadian Arctic and several wintering regions, including the southeast United States, the northwest Gulf of Mexico, northern Brazil and Tierra del Fuego at the southern tip of South America. This shore bird occurs primarily along the coasts but also migrates across areas of open-ocean as well as over land. In the United States, knots use both coastal and interior routes during migration, including the Central, Mississippi and Atlantic flyways. The MNFI indicates that appears to be suitable habitat within 1.5 miles of the subject site (Lake Michigan shoreline).

The subject 27-acre parcel does not contain any breeding, loafing or feeding habitat for this shore bird. Therefore, this project will have “no effect” on rufa red knot.

Indiana Bat

The Indiana bat is an endangered species that prefers to roost and brood in trees with exfoliating/peeling bark, or cavities in dead snags or dying trees located primarily in wetlands, floodplain/riparian forests, burr oak forests, and oak openings. Maternity and roost trees are usually found in the open or exposed to solar radiation. Understory clearance is also a factor for Indiana bat ingress and egress. Thick forest canopies not only limit solar exposure, they may inhibit flight and therefore access to potential roost sites. Foraging typically occurs over slow-moving, wooded streams and rivers as well as in the canopy of mature trees. Upland areas isolated from floodplains and non-wooded streams are generally avoided.

The subject 27-acre site contains mixed deciduous forest, pine stands and open field areas. A forested wetland with some emergent openings is located on the eastern property line. The site does not contain any riparian zones.

Several trees were observed with exfoliating or peeling bark at locations with exposure to solar radiation. These potential roost trees are not located near riparian areas therefore are considered to be potential but unlikely habitat for this bat species. Therefore, it is our opinion that this project will have “no effect” on the Indiana bat.

However, to avoid impacts to this species, it is recommended that tree clearing be limited to after October 1 and before April 1 when these bats are located in hibernacula and not in tree cover. Should tree clearing need to be conducted during the spring/summer months, additional surveys (mist netting and/or acoustical) are normally required prior to receiving approvals from the US Fish & Wildlife Service and/or Michigan Department of Natural Resources to proceed with tree cutting activities.
Northern Long-Eared Bat

The northern long-eared bat is a threatened species that hibernates in caves and mines; swarming in surrounding wooded areas in autumn. During late spring and summer, this species roosts and forages in upland forests. The northern long-eared bat has more flexible habitat requirements than the Indiana bat, generally using forested areas for feeding and brooding.

The subject 27-acre site contains mixed deciduous forest, pine stands and open field areas that contain potential roost and/or brood habitat for the northern long-eared bat. However, MNFI indicates that no known hibernacula or roost trees have been documented within the 1.5-mile search buffer. Therefore, it is our opinion that this project will have "no effect" on the northern long-eared bat.

However, the USFWS recommends that tree clearing be conducted after October 1 and before March 31 in order to avoid potential or inadvertent impacts to the northern long-eared bat.

Wild Rice
Wild-rice is found in rivers, streams, lakes, ponds. It usually occurs in water less than 2 feet deep in areas with a slight current over a mucky or silty bottom.

The subject parcel does not contain any habitat meeting the requirements of wild rice.

Please be advised the information provided in this report is a professional opinion. The ultimate decision of whether potential habitat for the above described protected species is present lies with the USFWS, Michigan Department of Natural Resources or Michigan Department of Environmental Quality.

Thank you for the opportunity to provide this threatened/endangered species evaluation. If you have any questions, please contact me at your convenience.

Sincerely,

King & MacGregor Environmental, Inc.
Matthew MacGregor
Mr. John R. Vigna
King & MacGregor Environmental, Inc.
2520 Woodmeadow Drive SE
Grand Rapids, MI 49546
616-957-1231

May 23, 2016

Re: Rare Species Review #1802 – Senior Living/Elderly Care Development, Grand Haven Township, Ottawa County, MI (T7N, R16W Section 4).

Mr. Vigna:

The location for the proposed project was checked against known localities for rare species and unique natural features, which are recorded in the Michigan Natural Features Inventory (MNFI) natural heritage database. This continuously updated database is a comprehensive source of existing data on Michigan’s endangered, threatened, or otherwise significant plant and animal species, natural plant communities, and other natural features. Records in the database indicate that a qualified observer has documented the presence of special natural features. The absence of records in the database for a particular site may mean that the site has not been surveyed. The only way to obtain a definitive statement on the status of natural features is to have a competent biologist perform a complete field survey.

Under Act 451 of 1994, the Natural Resources and Environmental Protection Act, Part 365, Endangered Species Protection, “a person shall not take, possess, transport, ...fish, plants, and wildlife indigenous to the state and determined to be endangered or threatened,” unless first receiving an Endangered Species Permit from the Michigan Department of Natural Resources (MDNR), Wildlife Division. Responsibility to protect endangered and threatened species is not limited to the lists below. Other species may be present that have not been recorded in the database.

Legally protected species have been documented within 1.5 miles of the proposed activity and it is possible that negative impacts will occur. Keep in mind that MNFI cannot fully evaluate this project without visiting the project site. MNFI offers several levels of Rare Species Reviews, including field surveys which I would be happy to discuss with you.

Sincerely,

Michael A. Sanders
Rare Species Review Specialist
Michigan Natural Features Inventory
Comments for Rare Species Review #1802: It is important to note that it is the applicant’s responsibility to comply with both state and federal threatened and endangered species legislation. Therefore, if a state listed species occurs at a project site, and you think you need an endangered species permit please contact: Lori Sargent, Nongame Wildlife Biologist, Wildlife Division, Michigan Department of Natural Resources, P.O. Box 30444, Lansing, MI 48909, 517-284-6216, or SargentL@mdnr.state.mi.us. If a federally listed species is involved and, you think a permit is needed, please contact Barb Hosler, Endangered Species Program, U.S. Fish and Wildlife Service, East Lansing office, 517-351-6326, or Barbara Hosler@fws.gov.

Special concern species and natural communities are not protected under endangered species legislation but efforts should be taken to minimize any or all impacts. Species classified as special concern are species whose numbers are getting smaller in the state. If these species continue to decline they would be recommended for reclassification to threatened or endangered status.

Please consult MNFI’s Rare Species Explorer for additional information regarding the listed species: http://mnfi.anr.msu.edu/explorer/search.cfm.

Table 1: Legally protected species within 1.5 miles of RSR #1802

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<th>SNAME</th>
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<th>G_RANK</th>
<th>S_RANK</th>
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</tbody>
</table>

Of concern: The federally threatened Pitcher’s thistle (Cirsium pitcheri) has been documented near the project site. Pitcher’s thistle grows on open sand dunes and occasionally on lag gravel associated with dunes. All of its habitats are along the Great Lakes shores, or in very close proximity. This monocarpic (once-flowering) plant produces a rosette that will mature to flowering in 2-8 years, after which the plant dies. Seeds germinate in June, and most seedlings (rosettes) appear within 1-3 meters of parent plants. The taproot of this thistle, which can reach 2 m in length, enhances its ability to survive the often desiccating conditions of its dune habitat. Pitcher’s thistle blooms from approximately late-June to early September. Pitcher’s thistle can be locally extirpated by destruction or major disturbance of its habitat (e.g. by shoreline development, vehicular or ORV traffic, heavy foot traffic and/or intensive recreation).

Note: a quick survey of the project area, particularly in any blowout areas should be conducted to determine presence/absence of this species.

Table 2: Special Concern Species and other Rare Natural Features within 1.5 miles of RSR #1802

<table>
<thead>
<tr>
<th>SNAME</th>
<th>SCOMNAME</th>
<th>G_RANK</th>
<th>S_RANK</th>
<th>Firstobs</th>
<th>Lastobs</th>
<th>USESA</th>
<th>SPROT</th>
<th>ELCAT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mesic Northern Forest</td>
<td></td>
<td>G4</td>
<td>S3</td>
<td>1985-07-25</td>
<td>2012-08-17</td>
<td></td>
<td></td>
<td>Community</td>
</tr>
<tr>
<td>Great Lakes Marsh</td>
<td></td>
<td>G2</td>
<td>S3</td>
<td>1984</td>
<td>2009-09-18</td>
<td></td>
<td></td>
<td>Community</td>
</tr>
<tr>
<td>Open Dunes</td>
<td>Beach/shoredunes, Great Lakes Type</td>
<td>G3</td>
<td>S3</td>
<td>1985-07-25</td>
<td>2012-08-17</td>
<td></td>
<td></td>
<td>Community</td>
</tr>
<tr>
<td>Pristium cruciatum</td>
<td>Ornamented peacalm</td>
<td>GU</td>
<td>SNR</td>
<td>1959-08-25</td>
<td>1959-08-25</td>
<td>SC</td>
<td></td>
<td>Animal</td>
</tr>
<tr>
<td>Pristium simplex</td>
<td>A fingernail clam</td>
<td>G5</td>
<td>SNR</td>
<td>1959-08-25</td>
<td>1959-08-25</td>
<td>SC</td>
<td></td>
<td>Animal</td>
</tr>
<tr>
<td>Corispermum pallasi</td>
<td>Pallas’ bugseed</td>
<td>GNR</td>
<td>SNR</td>
<td>2015-10-01</td>
<td>2015-10-01</td>
<td>SC</td>
<td></td>
<td>Plant</td>
</tr>
</tbody>
</table>
Codes to accompany tables:

State Protection Status Code Definitions (SPROT)
E: Endangered
T: Threatened
SC: Special concern

Global Heritage Status Rank Definitions (GRANK)
The priority assigned by NatureServe’s national office for data collection and protection based upon the element’s status throughout its entire world-wide range. Criteria not based only on number of occurrences; other critical factors also apply. Note that ranks are frequently combined.
G1 = critically imperiled globally because of extreme rarity (5 or fewer occurrences range-wide or very few remaining individuals or acres) or because of some factor(s) making it especially vulnerable to extinction.
G2 = imperiled globally because of rarity (6 to 20 occurrences or few remaining individuals or acres) or because of some factor(s) making it very vulnerable to extinction throughout its range.
G3: Either very rare and local throughout its range or found locally (even abundantly at some of its locations) in a restricted range (e.g. a single western state, a physiographic region in the East) or because of other factor(s) making it vulnerable to extinction throughout its range; in terms of occurrences, in the range of 21 to 100.
G4: Apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.
G5: Demonstrably secure globally, though it may be quite rare in parts of its range, especially at the periphery.
Q: Taxonomy uncertain

State Heritage Status Rank Definitions (SRANK)
The priority assigned by the Michigan Natural Features Inventory for data collection and protection based upon the element’s status within the state. Criteria not based only on number of occurrences; other critical factors also apply. Note that ranks are frequently combined.
S1: Critically imperiled in the state because of extreme rarity (5 or fewer occurrences or very few remaining individuals or acres) or because of some factor(s) making it especially vulnerable to extirpation in the state.
S2: Imperiled in state because of rarity (6 to 20 occurrences or few remaining individuals or acres) or because of some factor(s) making it very vulnerable to extirpation from the state.
S3: Rare or uncommon in state (on the order of 21 to 100 occurrences).
S4 = apparently secure in state, with many occurrences.
S5 = demonstrably secure in state and essentially ineradicable under present conditions.
SX = apparently extirpated from state.
For projects involving Federal funding or a Federal agency authorization

The following information is provided to assist you with Section 7 compliance of the Federal Endangered Species Act (ESA). The ESA directs all Federal agencies "to work to conserve endangered and threatened species. Section 7 of the ESA, called "Interagency Cooperation," is the means by which Federal agencies ensure their actions, including those they authorize or fund, do not jeopardize the existence of any listed species."

This project falls within the range of four (4) federally listed/proposed species which have been identified by the U.S. Fish and Wildlife Service (USFWS) to occur in Ottawa County, Michigan. The project falls within the range of the federally endangered **Indiana bat** (*Myotis sodalis*), the federally threatened **Northern long-eared bat** (*M. septentrionalis*), the federally threatened **rufa red knot** (*Calidris canutus rufa*), and the federally threatened **Pitcher's thistle** (*Cirsium pitcheri*).

**Federally Endangered**

**Indiana Bat** — although there are no documented occurrences, there appears to be suitable habitat within the 1.5 mile search buffer. **Indiana bats** are found only in the Eastern United States and are typically confined to the southern three tiers of counties in Michigan. Indiana bats that summer in Michigan winter in caves in Indiana and Kentucky. This species forms colonies and forages in riparian and mature floodplain habitats. Nursery roost sites are usually located under loose bark or in hollows of trees near riparian habitat. Indiana bats typically avoid houses or other artificial structures and typically roost underneath loose bark of dead elm, maple and ash trees. Other dead trees used include oak, hickory and cottonwood.

Foraging typically occurs over slow-moving, wooded streams and rivers as well as in the canopy of mature trees. Movements may also extend into the outer edge of the floodplain and to nearby solitary trees. A summer colony's foraging area usually encompasses a stretch of stream over a half-mile in length. Upland areas isolated from floodplains and non-wooded streams are generally avoided.

**Conservation strategies:** The suggested seasonal tree cutting range for Indiana bat is between October 1 and March 31 (i.e., no cutting April 1-September 30). This applies throughout the Indiana bat range in Michigan.

**Federally Threatened**

**Northern Long-eared Bat** - **Northern long-eared bat** numbers in the northeast US have declined up to 99 percent. Loss or degradation of summer habitat, wind turbines, disturbance to hibernacula, predation, and pesticides have contributed to declines in Northern long-eared bat populations. However, no other threat has been as severe to the decline as White-nose Syndrome (WNS). WNS is a fungus that thrives in the cold, damp conditions in caves and mines where bats hibernate. The disease is believed to disrupt the hibernation cycle by causing bats to repeatedly awake thereby depleting vital energy reserves. This species was federally listed in May 2015 primarily due to the threat from WNS.

Also called northern bat or northern myotis, this bat is distinguished from other *Myotis* species by its long ears. In Michigan, northern long-eared bats hibernate in abandoned mines and caves in the Upper Peninsula; they also commonly hibernate in the Tippy Dam spillway in Manistee County. This species is a regional migrant with migratory distance largely determined by locations of suitable hibernacula sites. Northern long-eared bats typically roost and forage in forested areas. During the summer, these bats roost singly or in colonies underneath bark, in cavities or in crevices of both living and dead trees. These bats seem to select roost trees based on
suitability to retain bark or provide cavities or crevices. Common roost trees in southern Lower Michigan included species of ash, elm and maple. Foraging occurs primarily in areas along woodland edges, woodland clearings and over small woodland ponds. Moths, beetles and small flies are common food items. Like all temperate bats this species typically produces only 1-2 young per year.

Although no known hibernacula or roost trees have been documented within 1.5 miles of the project area, this activity occurs within the designated WNS zone (i.e., within 150 miles of positive counties/districts impacted by WNS. In addition, suitable habitat does exist in the 1.5 mile search buffer. The USFWS has prepared a dichotomous key to help determine if this action may cause prohibited take of this bat. Please consult the USFWS Endangered Species Page for more information.

Conservation strategies: When there are no known roost trees or hibernacula in the project area, we encourage you to conduct tree-cutting activities and prescribed burns in forested areas during October 1 through March 31 when possible, but you are not required by the ESA to do so. When that is not possible, we encourage you to remove trees prior to June 1 or after July 31, as that will help to protect young bats that may be in forested areas, but are not yet able to fly.

**Pitcher's Thistle** – there is suitable habitat within the 1.5 mile search buffer. Pitcher's thistle grows on open sand dunes and occasionally on lag gravel associated with dunes. All of its habitats are along the Great Lakes shores, or in very close proximity. This monocarpic (once-flowering) plant produces a rosette that will mature to flowering in 2-8 years, after which the plant dies. Seeds germinate in June, and most seedlings (rosettes) appear within 1-3 meters of parent plants. The taproot of this thistle, which can reach 2 m in length, enhances its ability to survive the often desiccating conditions of its dune habitat. Pitcher's thistle blooms from approximately late-June to early September. Pitcher's thistle can be locally extirpated by destruction or major disturbance of its habitat (e.g. by shoreline development, vehicular or ORV traffic, heavy foot traffic and/or intensive recreation).

**Rufa Red Knot** - although there are no documented occurrences, there appears to be suitable habitat within the 1.5 mile search buffer. The rufa red knot is one of the longest-distance migrants in the animal kingdom, flying some 18,000 miles annually between its breeding grounds in the Canadian Arctic to the wintering grounds at the southern-most tip of South America. Primarily occurring along the Atlantic and Gulf coasts, small groups of this shorebird regularly use the interior of the United States such as the Great Lakes during the annual migration. The Great Lakes shorelines provide vital stopover habitat for resting and refueling during their long annual journey.

The largest concentration of rufa red knots is found in May in Delaware Bay, where the birds stop to gorge on the eggs of spawning horseshoe crabs; a spectacle attracting thousands of birdwatchers to the area. In just a few days, the birds nearly double their weight to prepare for the final leg of their long journey to the Arctic. This species may be especially vulnerable to climate change which affects coastal habitats due to rising sea levels.

USFWS Section 7 Consultation Technical Assistance can be found at:
The website offers step-by-step instructions to guide you through the Section 7 consultation process with prepared templates for documenting “no effect.” as well as requesting concurrence on “may affect, but not likely to adversely affect” determinations.

Please let us know if you have questions.

Mike Sanders
Environmental Review Specialist/Extension
Sander75@msu.edu
517-284-6215
DEVELOPMENT COVENANT

THIS DEVELOPMENT COVENANT ("Covenant") is made this ___ day of ____________, 2017, by ROSY MOUND LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP, LP, a Michigan limited partnership, with offices at 950 Taylor, Grand Haven, MI 49417 ("Developer"), with reference to the following:

RECITALS

A. Developer proposes to develop a senior living community ("Development") on that real property legally described on Exhibit A (the "Property"), which Property is located within the Charter Township of Grand Haven ("Township").

B. As a condition to the Township's approval of the Development, the Township Zoning Ordinance requires that the Developer designate certain Open Space on the Property and that the Developer enter into this Covenant with respect to the preservation, management, and maintenance of the Open Space. The Open Space is legally described and depicted on the Site Plan ("Site Plan") attached as Exhibit B.

COVENANTS

NOW, THEREFORE, the Developer covenants as follows:

1. Preservation and Use of Open Space.

   a. The Open Space shall remain in its existing natural state (largely wooded wetlands) and shall remain undeveloped and protected from all forms of development, except: (i) as set forth on the Site Plan, and (ii) for storm detention basins, storm sewer structures and improvements, water main structures and improvements, and electric utilities structures and improvements.

   b. The Open Space shall be utilized solely for the benefit of the Developer and the residents of the Property. Permitted uses of the Open Space shall include walking, bird watching, observation of wildlife, observation of nature, and similar unobtrusive activities.

   c. The permitted uses of the Open Space shall not be amended without the written consent of the Township.
2. **Maintenance of Open Space.**

   a. The Developer shall maintain the Open Space in its existing natural state.

   b. If the Developer fails to maintain the Open Space as required under this Agreement or if the Open Space becomes a nuisance, then the Township shall be entitled to undertake any required maintenance on behalf of the Developer. In such event, the Developer shall pay any costs incurred by the Township in connection with such maintenance. If the Developer fails to pay such costs within 60 days of the Township's demand therefor, the Township shall be entitled to place a lien on the Property in order to recover such costs.

3. **Recording.** This Covenant may be recorded in the Office of the Ottawa County Register of Deeds.

4. **Enforceability.** This Covenant shall be enforceable only by the Developer and the Township and no other person shall have the right to enforce any provision contained herein.

5. **Governing Law.** This Covenant shall be governed by, and construed and interpreted in accordance with, the laws of the State of Michigan.

6. **Run with the Land.** This Covenant shall run with the land and be binding on all successors, assigns, and transferees of Developer.

IN WITNESS WHEREOF, the Developer has caused this Covenant to be executed and delivered as of the day and year first above written.

**ROSY MOUND LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP, LP, a Michigan limited partnership**

By: ____________________________________________
    Shirley A. Woodruff
Title: Authorized Agent

{(Notary on next page)}
STATE OF MICHIGAN
COUNTY OF OTTAWA

On March __, 2017, before me, a Notary Public, in and for said County, personally appeared Shirley A. Woodruff, Authorized Agent, who acknowledged the execution of the foregoing instrument as her free act and deed.

______________________________
Notary Public
______________________________
County, Michigan
My commission expires:_____________

Drafted By and When Recorded Return to:
Jeffrey W. Beswick, Esq.
VARNUM LLP
233 Washington Avenue; Suite 205
Grand Haven, MI 49417
616/846-9936
EXHIBIT B

Depiction and Legal Description of the Open Space