AGENDA

Grand Haven Charter Township Planning Commission
Monday, April 17, 2017 – 7:00 p.m.
** Note the New Meeting Time **

I. Call to Order

II. Roll Call

III. Pledge to the Flag

IV. Approval of the March 20, 2017 Meeting Minutes

V. Correspondence

VI. Public Comments/Questions on Agenda Items Only (Limited to 3 minutes)

VII. New Business
   A. Site Plan Review – Parking Lot – Seavers Finishing

VIII. Public Hearing
   A. Special Land Use – Outdoor Pond – McAlpine
   B. Site Condo – Single Family – Brucker Beach Woods
   C. Special Land Use – Gas Station – SpartanNash
   D. PUD – Housing for the Elderly – Village at Rosy Mound

IX. Old Business
   A. Special Land Use – Outdoor Pond – McAlpine
   B. Site Condo – Single Family – Brucker Beach Woods
   C. Special Land Use – Gas Station – SpartanNash
   D. PUD – Housing for the Elderly – Village at Rosy Mound

X. Reports
   A. Attorney’s Report
   B. Staff Report
   C. Other

XI. Extended Public Comments/Questions on Non-Agenda Items Only (Limited to 4 minutes)

XII. Adjournment

Note: Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a “Speakers Form” located on the counter. Completed forms must be submitted to the Zoning Administrator prior to the meeting.
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, Chalifoux, and Wagenmaker
Members absent: None
Also present: Community Development Director Fedewa and Attorney Bultje

Without objection, Cousins instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES
Without objection, the minutes of the January 17, 2017 meeting were approved with the revision to correct the Attorney name.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS ON AGENDA ITEMS ONLY

VII. PUBLIC HEARING
A. Special Land Use – Single Family Dwelling in AG District – Schmidt

Cousins opened the public hearing at 7:03pm.

Fedewa provided an overview through a memorandum dated March 16th.

Reenders recused himself due to a conflict of interest; he will be performing an agricultural activity on the subject property.

The applicant, David Schmidt, was present and available to answer questions:

- Intends to construct the house this summer after Rye grass is planted.

There being no public comment Cousins closed the public hearing at 7:08pm.
VIII. OLD BUSINESS
A. Special Land Use – Single Family Dwelling in AG District – Schmidt

The application was discussed by Commissioners and focused on:

- Confirmed the existing dwelling was constructed over 100 years ago, and is abandoned.
- Property is legally nonconforming because a dwelling exists on property zoned Agricultural and does not have an active agricultural activity. Thus, a Special Land Use permit is required to become conforming under the current Zoning Ordinance.

Motion by Wilson, supported by Taylor, to conditionally approve the Special Land Use application to allow a Single Family Dwelling in the AG District for property located at 16064 Winans Street, based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. The motion is subject to, and incorporates, the following report and conditions:

1. No building permits shall be issued until the property is engaged in an active agricultural activity that is permitted in the AG zoning district. The applicant shall schedule a site inspection with the Zoning Administrator to confirm the activity.

2. No building permits shall be issued until the applicant obtains a demolition permit from the Township to remove the existing dwelling.

3. Pursuant to Section 19.07.39.D the right to continue to occupy and use the single family residence is dependent upon the active conduct of another of the Agricultural District’s permitted or special land uses. If such use is discontinued, then the special land use for the single family residence may be revoked by the Township and the dwelling from that time considered as a nonconforming use.

Which motion carried unanimously.

Report
1. This approval is based on the affirmative findings that each of the following standards has been fulfilled:
   A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.
   B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.
   C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.
   D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.
E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.

F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.

G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.

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

2. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.

B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

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

D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.

E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.

H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.

I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.

J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.

L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.

M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.

N. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

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

IX. NEW BUSINESS

Reenders rejoined the Commission.

A. Speedway PUD Extension

Wilson recused himself due to a conflict of interest; he is a secondary applicant on the subject PUD project.

Fedewa provided an overview through a memorandum dated March 15th.

Motion by Robertson, supported by Chalifoux, to recommend the Township Board approve the requested 6-month extension (i.e., September 28, 2017) for the Speedway PUD based on the request meeting the applicable requirements of Section 17.04.7.A of the Grand Haven Charter Township Zoning Ordinance. Which motion carried unanimously.

B. Appoint 2 Members to the Zoning Ordinance Joint Review Committee

Wilson rejoined the Commission.

Without objection Cousins and Wagenmaker were appointed to the Zoning Ordinance Joint Review Committee.

X. REPORTS

A. Attorney Report

  ➢ Bultje provided a summary of the NOCH lawsuit oral arguments that occurred on March 6th. It is anticipated a ruling will be received in the coming weeks.

B. Staff Report
The Brucker Beach Woods project will likely reapply soon to convert the public road to private. This would enable the developer to save 100+ trees by locating the stormwater swales within the right-of-way.

C. Other

Cousins described information that was learned from two Medical Marihuana workshops he attended. The workshops described the recent Acts the Michigan Legislature adopted in December 2016, that identify 5 facility types. The topic will be discussed in depth this year because permits for these facilities will be issued by the state beginning December 15, 2017.

Communities that elect to opt-out of allowing any facilities do not need to take any action. However, if a community wants 1 or more of these facility types there are certain steps and ordinance changes that must take place. It is noted that communities that allow these facilities will receive a portion of the sales tax revenue that will be generated from the sales at provisioning centers.

Taylor indicated she continues to be in communication with the Grand Haven Area Public School district to stay apprised of how the Township’s population growth is impacting the district. She also mentioned that administrators and staff members of the district praised Fedewa for providing them with timely updates on new residential developments.

XI. EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY—None

XII. ADJOURNMENT

Without objection, the meeting adjourned at 7:30 p.m.

Respectfully submitted,

Stacey Fedewa  
Acting Recording Secretary
Community Development Memo

DATE: April 13, 2017
TO: Planning Commission
FROM: Stacey Fedewa, Community Development Director
RE: Site Plan Review – Seavers Finishing – Parking Lot Expansion

BACKGROUND

Seavers Finishing, located at 16900 Hayes is a growing industrial business that is requesting additional parking. Unfortunately, it is difficult to determine exactly how many spaces are on the site because over the years the employees have created new spaces by parking on the grass, leading to them becoming gravel, and as the rest of the lot deteriorates the loose material is being pushed onto the “new” spaces causing the two types of parking lots to amalgamate.

Staff’s best estimate based on 2014 aerials is there were 35 spaces. The Applicant is now requesting to refresh the parking lot, expand in the necessary locations, and improve the maneuverability of the site. Therefore, the total spaces requesting to be paved now are 65, which includes the existing 35 that staff was able to identify.
ZONING REQUIREMENTS

The size of the spaces shown on the plan are compliant with Township requirements.

There are two parking calculations used for this site:

1. 1 space for every 1,000 sqft of industrial area
2. 1 space for every 200 sqft of administrative office space

It’s unclear exactly how large the administrative office space is, but even a conservative estimate of 10% still allows substantially more parking than is requested.

The overall building size is 50,793 sqft, and if 5,000 of that is dedicated to administrative offices then the following parking spaces would be allowed:

1. \[ \frac{45,793}{1,000} \] = 46 spaces
2. \[ \frac{5,000}{200} \] = 25 spaces

Total = 71 spaces

Also, the Ottawa County Water Resources Commissioner has approved the stormwater discharge calculations, so their last step is obtaining approval from the Township.

MOTION

Based on this information, staff recommends the Planning Commission approve the requested parking lot expansion. If the Planning Commission agrees with this recommendation the following motion can be offered:

**Motion to approve** the Seavers Finishing Site Plan Review application to expand the parking lot to a total of 65 spaces, which includes the existing and proposed spaces. This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning ordinance.

Please contact me if this raises questions.

REPORT

1. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

   A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.
B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

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

D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.

E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.

H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.

I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.

J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.

K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.

L. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.

M. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

N. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.
GRAND HAVEN CHARTER TOWNSHIP

SITE PLAN REVIEW APPLICATION

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Fee</th>
<th>Escrow*</th>
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<tr>
<td>Overlay Zone</td>
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<td>Non-Overlay Zone</td>
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<th>Sewer Escrow**</th>
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<tbody>
<tr>
<td>Main Extension</td>
</tr>
<tr>
<td>Lift Station</td>
</tr>
</tbody>
</table>

Applicant Information

Name: Hughes Builders Inc
Phone: 231-773-0077
Fax: 231-773-0909
Address: 3279 E Lakeview Ave
Email Address: building@hughesbuildersinc.net

Owner Information (If different from applicant)

Name: [Redacted]
Phone: 231-773-0077
Fax: 231-773-0909
Address: 16920 Hayes St

Property Information

Address/Location: 16920 Hayes St
Parcel Number: 70-01-04-200-054
Size (acres): 2.79 Acres
Current Zoning: Master-Planned Zoning

Description of Proposed Use/Request (attach additional pages as needed)

ADD 17 PARKING SPOTS TO EXISTING DRIVE ON NORTH SIDE OF BUILDING

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapter 23 of the Zoning Ordinance. 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: [Redacted]
Date: 4-13-17

* 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.
EXISTING BUILDING
50,793 SQ.FT.

SITE PLAN
SCALE 1" = 30'0"

A  PARKING DETAIL
B  PARKING DETAIL
C  PARKING DETAIL

ORIGINAL SITE DRAINAGE CALCULATIONS

SITE DRAINAGE CALCULATIONS W/ EXTRA ASPHALT
Community Development Memo

DATE: April 10, 2017
TO: Planning Commission
FROM: Stacey Fedewa, Community Development Director
RE: Special Land Use Application – Outdoor Pond at 16319 Fillmore Street

<table>
<thead>
<tr>
<th>PROPERTY DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Address</strong></td>
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<tr>
<td>16319 Fillmore</td>
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</table>

<table>
<thead>
<tr>
<th><strong>Existing Zoning</strong></th>
<th><strong>Existing Land Use</strong></th>
<th><strong>Existing Infrastructure</strong></th>
<th><strong>Existing Site Improvements</strong></th>
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<tbody>
<tr>
<td>AG</td>
<td>Single Family Residential</td>
<td>Paved Roadway Private water well Private septic system</td>
<td>Single Family Dwelling 2 Accessory Buildings</td>
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<table>
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<tr>
<th><strong>Master-Planned Zoning</strong></th>
<th><strong>Surrounding Zoning &amp; Land Uses</strong></th>
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<tbody>
<tr>
<td>Low Density Residential</td>
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**BACKGROUND**

The property owner, Shawn McAlpine, submitted a Special Land Use application to construct an Outdoor Pond at 16319 Fillmore Street. A contractor has agreed to a barter situation where he will dig the pond and accept the spoils in exchange for payment.

**PROJECT DETAILS**

Specifics regarding the pond construction include:

- The ¾ acre pond would be used for personal recreation purposes.
- The approximate dimensions of the pond are 150’ x 200’.
- Proposed to be setback at least 25’ from lot lines (where only 20’ is required), and 30’ from the dwelling and accessory buildings (where only 10’ feet of isolation distance is required from the well).
- Will have a 1:3 slope for the first 5 feet of depth.
- Intends to have a total pond depth of about 12’.
- Will use an aeration device to prevent stagnant water.

### SPECIAL LAND USE REQUIREMENTS

<table>
<thead>
<tr>
<th>Section 19.07.29A Provisions</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Used for recreation, pleasure, or agricultural only</td>
<td>Meets standard</td>
</tr>
<tr>
<td>Compliance with setback requirements of zoning district (AG)</td>
<td>Meets standard</td>
</tr>
<tr>
<td>To protect the safety of the general public the PC can require the pond to be enclosed by a wall or fence.</td>
<td>Not enclosed—Planning Commission has discretion</td>
</tr>
<tr>
<td>Constructed to applicable requirements of Conservation District, OCWRC, and MDEQ</td>
<td>CD: n/a, OCWRC: n/a, MDEQ: n/a</td>
</tr>
<tr>
<td>Slope of the banks must be a minimum of 1:3</td>
<td>Meets standard</td>
</tr>
<tr>
<td>Pond shall not cause or contribute to the erosion of any adjacent, abutting, or nearby land.</td>
<td>Staff unaware of any issues</td>
</tr>
<tr>
<td>Pond shall not create stagnant water</td>
<td>Aeration Unit</td>
</tr>
</tbody>
</table>
SAMPLE MOTIONS

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

**Motion to approve** the Outdoor Pond Special Land Use application for 16319 Fillmore Street, based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report.

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

**Motion to deny** the Outdoor Pond Special Land Use application, and direct staff to draft a formal motion and report for those discussion points which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the Planning Commission finds the applicant must make revisions to the application, the following motion can be offered:

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

1. *List the revisions.*

Please contact me prior to the meeting with questions or concerns.

REPORT (TO BE USED WITH A MOTION FOR APPROVAL)

1. This approval is based on the affirmative findings that each of the following Special Land Use standards has been fulfilled:
   
   A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.

   B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.

   C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.
D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.

E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.

F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.

G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.

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

2. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.

B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

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

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F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.

H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.

I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.

J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.

K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.

L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.

M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.

N. The site plans conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.
GRAND HAVEN CHARTER TOWNSHIP

SPECIAL LAND USE APPLICATION

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<td>Amendment</td>
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<td>Lift Station</td>
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</tbody>
</table>

Applicant Information
Name: SHAWN M'ALPINE  
Phone: 616-843-8900  
Fax: N/A  
Address: 16319 FILLMORE ST WEST OLIVE MI 49460
Email Address: SHAWN.M'ALPINE@GENTEX.COM

Owner Information (if different from applicant)
Name: 
Phone: 
Fax: 
Address: 

Property Information
Address/Location: 16319 FILLMORE ST WEST OLIVE MI 49460
Parcel Number: 70-07-34 - 400-019  
Size (acres): 5.034
Current Zoning: RESIDENTIAL  
Master-Planned Zoning:

Description of Proposed Use/Request (attach additional pages as needed)
3/4 ACRE OUTDOOR POND. SETBACK MAP INCLUDED. WILL STAY 30' FROM STRUCTURES AND 25' FROM PROPERTY LINES. MAX DIMS WILL BE 150' X 250' WITH ROUNDED EDGES. A SLOPE OF 1:3 WILL BE USED TO 6' DEEP. PLANNED USE OF AERATION DEVICE

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapters 19 and 23 of the Zoning Ordinance. 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: 
Date: 3/31/17

* 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.

Last Revised 12/31/2015
Community Development Memo

DATE: April 12, 2017
TO: Planning Commission
FROM: Stacey Fedewa, Community Development Director
RE: Revised Site Condo Application – Brucker Beach Woods

BACKGROUND

In November 2016, the Township approved the Brucker Beach Woods site condominium application to develop 7 single family lots with a public road.

This development included bio-swales (stormwater disposal through infiltration) outside the road right-of-way and a valley gutter system.

PROPOSED AMENDMENTS

The Zoning Ordinance requires any Site Condominium amendments to move through the same process as the original (see right text box).

The developer is proposing to convert the road to private instead of public. Doing so, will reduce the number of trees being removed for the following reasons:

1. Bio-swales can now be located inside the right-of-way instead of outside, which will also provide more front yard for the property owners.

2. Private roads do not have to be as wide as public roads.
   a. Public road = 30 feet in width
   b. Private road = 20 feet in width

3. Private roads can exclude the requirements for curb and gutter (see Section 4.3.G of the Private Road Ordinance), and the OCWRC has confirmed this site
does not need valley gutters. Therefore, they were removed, which reduces the overall impervious surface, and allows the bio-swales to function more naturally.

For your information, the developer has also changed the street name from Garbrecht Court to Brucker Woods Court. This change was approved by the OCRC and Fire/Rescue, and does not require approval from the Planning Commission.

Lastly, the Township can only consider the proposed amendments to the site condominium plan. The original approved plan continues to remain valid regardless of the outcome for the proposed amendments.

**SAMPLE MOTIONS**

If the Planning Commission finds the revised Brucker Beach Woods Site Condominium application meets the applicable standards, the following motion can be offered:

**Motion** to recommend to the Township Board [approval with conditions] of the revised Brucker Beach Woods Site Condominium development. This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Private Roads and Driveways Ordinance. This action is based upon the findings and other information included in the Planning Commission report. Approval is subject to the following conditions:

1. Shall comply with the same conditions found in the 11/28/2016 Township Board meeting minutes.
2. The developer shall enter into a Private Road Maintenance Agreement with the Township. The Agreement shall be reviewed and approved by the Township Board prior to receiving a final occupancy permit.
3. The developer shall provide the Township with a copy of the Declaration of Joint Maintenance and Easement for the private road, which shall be approved by the Township Attorney before being recorded with the Ottawa County Register of Deeds. This shall be completed before a final occupancy permit is issued.

If the Planning Commission finds the Brucker Beach Woods Site Condominium application does not meet the applicable standards, the following motion can be offered:

**Motion** to recommend to the Township Board [denial] of the Brucker Beach Woods Site Condominium development, and direct staff to draft a formal motion and report 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 Planning Commission finds the applicant must make revisions to the Site Condominium application, the following motion can be offered:

**Motion** to table the Brucker Beach Woods Site Condominium application, and direct the applicant to make the following revisions:

1. *List the revisions.*

Please contact me if this raises questions.

**REPORT (TO BE USED WITH A MOTION FOR APPROVAL)**

1. This approval is based on the affirmative findings that each of the following standards has been fulfilled:

   A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.

   B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.

   C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.

   D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.

   E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.

   F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.

   G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.

   H. The proposed use is consistent with the health, safety, and welfare of the Township.
2. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

   A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.

   B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

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

   D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.

   E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

   F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

   G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.

   H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.

   I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.

   J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.

   K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
L. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.

M. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

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

3. The application meets the site condominium project review standards of Section 18.03 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

   A. The project plan provides adequate common elements and maintenance provisions, use and occupancy restrictions, utility systems and streets, and project layouts and design.

   B. The project plan complies with the Condominium Act, other applicable laws, ordinances, and regulations.

   C. The building site for each site condominium unit complies with all applicable provisions of the ordinance including minimum lot area, minimum lot width, required front, side, and rear yards, and maximum building height.

   D. The project plans public street will be paved and developed to the minimum design, construction, inspection, approval, and maintenance requirements for platted public streets as required by the Ottawa County Road Commission.

   E. The project will provide public water facilities to the site condominium units, and is in accordance with Township standards.

   F. The project provides for private septic system and drain field located within the condominium unit’s building site, and have been approved by the Ottawa County Department of Health.

   G. The project will provide the required street light fixture within the cul-de-sac.
GRAND HAVEN CHARTER TOWNSHIP

SITE CONDOMINIUM PROJECT APPLICATION

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Fee</th>
<th>Escrow*</th>
<th>Sewer Escrow**</th>
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<td>Lift Station</td>
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Fee reduced $200

Applicant Information

Name: Brucker Beach Woods, LLC
Phone: (616) 638-2986
Address: 13786 Lake Sedge Drive
Email Address: Steve.Davis1011@gmail.com

Owner Information (If different from applicant)

Name: Same
Phone: 
Address: 
Fax: 

Property Information

Address/Location: Vacant Land - Southeast 1/4, Section 32, Town 8 North, Range 16 West
Parcel Number: 70 - 03 - 32 - 400 - 004
Size (acres): 6.29
Current Zoning: R-1
Adjacent Zoning: North: R-1  South: R-1  East: R-1  West: R-1

Other Information

Number of Proposed Lots?: 7
Present Use of the Subject Property?: Vacant
Number & Type of Existing Structures?: 0
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?: No

Description of Proposed Use/Request (attach additional pages as needed)

Single-family residential development

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance Books and following all applicable requirements, including those of Chapter 18 and 23 of the Zoning Ordinance, as well as Section 66 of the Condominium Act. 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.

Last Revised: 2/9/2016
I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

Signature of applicant ___________________________ Date ________

* 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.

For Office Use Only

Date Received ___________________________ Fee Paid? ___________________________

Materials Received: Site Plans __________ Location Map __________
Survey __________ Legal Description __________
Narrative __________ Landscape Plan __________
Master Deed __________ Condo Bylaws __________

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 2/9/2016
Project Narrative:

The revised site plan for Brucker Beach Woods has taken the bio-swales from outside the ROW to the inside of the ROW. As a public road this was not an option. Going private allows for this to occur. This is the only change to the plan. OCRC and Water Resources have reviewed plan to ensure that it meets all their requirements. This will allow a better development as more trees can be saved thus creating to more private feel/character which is more consistent with the neighborhood.

Exhibit B changes:

Sheet 1: Cover sheet – no changes other than date and road name

Sheet 2: Survey Plan – change the word public to private on road.
   - change date
   - change road name to Brucker Woods Court

Sheet 3: Site Plan & Cross Section – change the word public to private (on road and in notes)
   - change date
   - change road name to Brucker Woods Court

Sheet 4: Utility Plan – change the word public to private (on road and in notes)
   - change date
   - change road name to Brucker Woods Court

Master Deed:

1. The word “public” to be replaced with the word “private” on all page that it appears.

2. Section 4.1 add (J) Private Road: Brucker Woods Court shall be a private road. Any and all Real Estate within the boundaries starting at the center line of the road to the most lateral points of the road ROW shall be considered a common element. Developer has/will be entering into road maintenance agreement with the Township of Grand Haven.

NOTE: all easements related to road are covered in Section 8: Easements.

Bylaws:

1. Master Deed - Schedule B: Revised site Plan

2. Master Deed – Schedule B: Revised Exhibit B

NOTE: Repair and maintenance of road covered in Section 4.4 of Bylaws
OTTAWA COUNTY CONDOMINIUM SUBDIVISION PLAN NO.
EXHIBIT "B" TO THE MASTER DEED OF

BRUCKER BEACH WOODS

FIRST AMENDMENT

BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4
SECTION 32, TOWN 8 NORTH, RANGE 16 WEST, TOWNSHIP OF
GRAND HAVEN, COUNTY OF OTTAWA, STATE OF MICHIGAN

DEVELOPER:
BRUCKER BEACH WOODS, LLC
13/86 LAKE SEDGE DRIVE
GRAND HAVEN, MI 49417
CONTACT: STEVE DAVIS
PHONE: (616) 638-2986

ENGINEER:
WESTSHORE CONSULTING
2534 BLACK CREEK ROAD
MUSKEGON, MI. 49444-2674

DESCRIPTION:

DESCRIPTION. (TAX MAP #70-03-32-400-004)

FURNISHED LOCAL DESCRIPTION: (TAX MAP #70-03-32-400-004)

COMMENCING AT A POINT 275 FEET EAST OF THE SOUTHWEST CORNER
OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32,
TOWN 8 NORTH, RANGE 16 WEST, GRAND HAVEN TOWNSHIP, OTTAWA
COUNTY, MICHIGAN; THENCE EAST 495 FEET; THENCE NORTH TO
THE SOUTH LINE OF THE PLAT OF SHORE ACRES SUBDIVISION; THENCE
SOUTHWEST 300 FEET TO A POINT DIRECTLY NORTH OF THE
PLACE OF BEGINNING; THENCE SOUTH TO THE PLACE OF BEGINNING.

FURTHER DESCRIBED AS:

PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 SECTION 32,
TOWN 8 NORTH, RANGE 16 WEST, GRAND HAVEN TOWNSHIP, OTTAWA
COUNTY, MICHIGAN: COMMENCING 598.79' 00" S. 90° 00' 00" W. FROM THE
SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4; THENCE
275 RET. 00" E. TO A POINT LOCATED 500 FEET FROM THE
PLACE OF BEGINNING; AND 300 FEET FROM THE
PLACE OF BEGINNING.

PARCEL CONTAINS 6.29 ACRES, MORE OR LESS.

DESCRIPTION IS THE COMBINATION OF PARCELS #70-03-32-400-092
AND #70-03-32-400-093.
Community Development Memo

DATE: April 13, 2017
TO: Planning Commission
FROM: Stacey Fedewa, Community Development Director
RE: Special Land Use Application – Gasoline Station – 17200 Robbins Road

### PROPERTY DETAILS

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Parcel Number</th>
<th>Parcel Size</th>
<th>Application Type</th>
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<tbody>
<tr>
<td>17200 Robbins Rd</td>
<td>70-03-33-100-047</td>
<td>7 Acres (Overall) 0.6 Acres (Gas Station)</td>
<td>Gasoline Station Change in Use-Minor (Overlay Zone)</td>
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<tr>
<td>Existing Zoning</td>
<td>Existing Land Use</td>
<td>Existing Infrastructure</td>
<td>Existing Site Improvements</td>
</tr>
<tr>
<td>C-1 Commercial</td>
<td>Gasoline Station</td>
<td>Paved Roadway Municipal Water Sanitary Sewer Stormwater Sewer</td>
<td>Overall: 10 Buildings Project Site: 1 gas station, 2 canopies, 4 fuel pumps</td>
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### Master-Planned Zoning

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<td>Commercial (Twp)</td>
<td>Motor Vehicle Repair</td>
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<td></td>
<td>Commercial (City)</td>
<td>Bank</td>
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<tr>
<td></td>
<td>Commercial (Twp)</td>
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</tbody>
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### BACKGROUND

In October 2015, Robbins Road Real Estate LLC (the “Property Owner” purchased the former “VandenBerg” property with the intention of redeveloping the entire 7 acres. The first part of this redevelopment is a lease to Spartan Stores Fuel LLC (the “Developer”).

The redevelopment of a site in the Overlay Zone is uncommon, and it does not appear the Township has addressed a legally nonconforming site quite like this before. It is staff’s understanding the existing gas station did not receive a permit from the Township before it was constructed—the reasons for which are unknown.
The Overlay Zone requires a project to be determined as a Change in Use-Minor and Change in Use-Major. A Minor occurs when one permitted use is replaced by another permitted use. A Major occurs when one permitted use is replaced with a special land use, a special land use is replaced by a different special land use, or the property is rezoned for a different permitted or special land use. Unfortunately, this project does not fall into any of those categories.

The only difference between Minor and Major requirements is the submission of a Special Land Use application and must comply with architectural requirements. Based on these unique circumstances, staff determined a hybrid-type approach would be taken. The Developer will not be expanding the existing building, so architectural improvements are not required regardless of a Minor or Major designation. Because the site has never received a Special Land Use permit for a gas station on the site the Developer was required to submit a Special Land Use application for this project.

Proceeding in this fashion appears to accomplish the intentions of the Minor and Major designations.

ZONING COMPLIANCE

It is noted that numerous items of this project site are legally nonconforming, which staff will delineate within this memo when it impacts other requirements. Additionally, because the nonconformities impact the Overlay Zone requirements and Special Land Use requirements, each subject will be described along with its compliance and nonconformities.
**Access Management Improvements**

Essentially, the Access Management requirements of the Overlay Zone focus on reducing curb-cuts and creating additional space between driveways with the intention of reducing traffic conflicts.

There are 3 existing points of access on the project site.

1. The opening on Robbins Road will be reshaped, defined, and compliant with City requirements.
2. The northernmost opening on 172nd Avenue will be closed.
3. The southernmost opening on 172nd Avenue will remain in place, but is subject to additional reviews and possible relocation or reconstruction when the remainder of the site is redeveloped.

**Landscaping Improvements**

The existing site does not have landscaping, and the proposed site will add as much landscaping that is possible based on current conditions.

- The existing stones around the sidewalk will be removed and converted to grass. And the sidewalk will be extended onto Robbins Road.
- A true refuse enclosure will be constructed at the rear of the building and will be well landscaped with a tree, shrubs, and flowering plants.
- Tall grasses and flowering plants are proposed along the east wall of the building.
- Landscaping is also being provided near the existing pylon sign and will meet the requirements of the Clear Vision Ordinance.
- An interior landscape island is also being provided near the south driveway.

**OTHER PERTINENT DETAILS**

**Architectural Improvements**

Although this site is redeveloping as a Change in Use-Minor, which does not require architectural improvements, the Developer will voluntarily bring the building into closer compliance with the Overlay Zone requirements. These will include replacing the metal siding with a “wood-look” siding and trim, as well as replacing the light fixtures on the building.

**Parking Schedule**

The Developer is proposing 10 spaces, which complies with the Overlay Zone requirements for parking. Comparatively, outside the overlay zone a total of 16 parking spaces could be provided.
**Signage**

At this time, the Developer will reface the existing pylon sign and add their logo to the fueling canopies. All of which will comply with Township regulations.

It is noted, the Developer may reopen their signage discussions when the remainder of the site is redeveloped as a Commercial PUD by the Property Owner because they desire additional signage than what is currently allowed.

**Construction Timeline**

The lease officially changed hands the first week of April. Part of this includes the former tenant removing their underground storage tanks, and the new Developer replacing them with their own new tanks.

This is not a quick, simple, or easy task to achieve. Part of this change will require a lane closure on 172nd because the extra liquid materials will be discharged into the sanitary sewer system. All of the appropriate permits have been obtained, or will be issued soon, in order to accomplish this task. This part of the project does not require Planning Commission approval, which is why this part of the work has begun. After the tanks are replaced the Developer will also install new fuel pump stations.

The Developer has a quick construction timeline with site improvements beginning shortly after receiving approval from the Township, anticipate it will take 6 – 8 weeks, and therefore plans to reopen mid- to late-June.

**VARIANCE NEEDED**

The unique nonconforming nature of this site, in conjunction with the Overlay Zone requirements, has led to the need for the Developer to apply for a variance. One of the purposes of the Overlay Zone is an emphasis on aesthetics and reducing the visual impact of buildings through landscaping.

The Developer is proposing to plant landscaping along the eastern edge of the building, and then place 10 parking spaces along the eastern lot line. While this satisfies the Overlay Zone requirement, it also creates one because the parking spaces would be located within the required side yard.

There are two Sections of the Ordinance that impact this topic—24.02.2, which does not allow parking with the required side yard; and 20.19.5.B, which requires a commercially zoned corner lot to have a side street setback of at least 40 feet.

A 40-foot side street setback would eliminate the ability to have parking spaces on the eastern half of the site, and there is not enough room on the remainder to install 10 spaces.
Furthermore, the ZBA will need to determine where emphasis of the Ordinance be placed—Overlay Zone landscaping or parking in the required side yard.

**What’s Next**

If the Planning Commission conditionally approves this application staff recommends the motion direct the Developer to commence construction, but delay striping the parking lot and installing the landscaping along the eastern wall of the building until the ZBA makes a determination.

Furthermore, staff recommends the motion indicate that if the ZBA does not grant the variance then the Developer can revise the plan to move the parking spaces against the building wall and remove the landscaping against the eastern wall of the building, and allow staff to approve the plan administratively.

**SAMPLE MOTIONS**

If the Planning Commission finds the Spartan Stores Fuel LLC Special Land Use application meets the applicable standards, the following motion can be offered:

**Motion to conditionally approve** the Spartan Stores Fuel LLC application for a Gasoline Station at 17200 Robbins Road. This is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Robbins Road Sub-Area Plan. This action is based upon the findings and other information included in the Planning Commission report. Approval is subject to the following conditions:

1. The Developer shall apply for a variance to address the location of the parking spaces. In the interim, the Developer is permitted to commence construction, but shall not stripe the parking lot, or install landscaping along the eastern wall of the building, until the Zoning Board of Appeals has made a determination.
2. If the Zoning Board of Appeals denies the variance request, the Developer is authorized to revise the site plan, relocate the parking to the eastern wall of the building, and remove the landscaping along that same wall. The Zoning Administrator is authorized to approve this revision administratively.

3. Approval and compliance with all requirements of the Ottawa County Road Commission, Ottawa Count Water Resources Commissioner, City of Grand Haven, and applicable divisions of the State of Michigan such as the Department of Environmental Quality and Bureau of Fire Services.

If the Planning Commission finds the Spartan Stores Fuel LLC Special Land Use application does not meet the applicable standards, the following motion can be offered:

**Motion to deny** the Spartan Stores Fuel LLC Special Land Use application, and direct staff to draft a formal motion and report 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 Planning Commission finds the applicant must make revisions to the Special Land Use application, the following motion can be offered:

**Motion to table** the Spartan Stores Fuel LLC application, and direct the applicant to make the following revisions:

1. *List the revisions.*

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

1. The Project meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, pursuant to Section 23.06.7, the Planning Commission finds as follows:

   A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

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

   C. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.

   D. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this
Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

E. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

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

G. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.

H. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.

I. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.

J. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.

K. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.

L. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.

M. The site plan conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

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

2. This approval is based on the affirmative findings that each of the following Special Land Use standards has been fulfilled:

A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.

B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.

C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.

D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.

E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.

F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.
G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.

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

3. The Planning Commission also finds the Project complies with the US-31 and M-45 Area Overlay Zone findings and statement of purpose found in Section 15A.01 of the Zoning Ordinance:

   A. Accommodates a variety of uses permitted by the underlying zoning, but ensure such uses are designed to achieve an attractive built and natural environment.

   B. Provides architectural and site design standards that are more demanding than required elsewhere in the Township in order to promote harmonious development and complement the natural characteristics in the western sections of the Township.

   C. Promotes public safety and efficient flow of vehicular traffic by minimizing conflicts from turning movements resulting from the proliferation of unnecessary curb cuts and driveways.

   D. Ensures safe access by emergency vehicles.

   E. Encourages efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.

   F. Preserve the capacity along US-31/M-45 and other roads in the Overlay Zone by limiting and controlling the number and location of driveways, and requiring alternate means of access through shared driveways, service drives, and access via cross streets.

   G. Reduces the number and severity of crashes by improving traffic operations and safety.

   H. Requires coordinated access among adjacent lands where possible.

   I. Provides landowners with reasonable access, although the access may be restricted to a shared driveway, service drive, or via a side street, or the number and location of access points may not be the arrangement most desired by the landowner or applicant.

   J. Requires demonstration that prior to approval of any land divisions, the resultant parcels is accessible through compliance with the access standards herein.

   K. Preserves woodlands, view sheds, and other natural features along the corridor.

   L. Ensures that distractions to motorists are minimized by avoiding blight and clutter while providing property owners and businesses with appropriate design flexibility and visibility.

   M. Implements the goals expressed in the US-31/M-45 Corridor Study.

   N. Establishes uniform standards to ensure fair and equal application.

   O. Addresses situations where existing development within the Overlay Zone does not conform to the standards of this chapter.

   P. Promotes a more coordinated development review process with the Michigan Department of Transportation and the Ottawa County Road Commission.
SPECIAL LAND USE APPLICATION

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<tr>
<td>Main Extension</td>
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<tr>
<td>Lift Station</td>
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Applicant Information
Name: Spartan Stores Fuel, LLC - Brett Parker
Phone: (616) 878-8507
Address: 850 76th Street, SW, Grand Rapids, MI 49518
Email Address: Brett_Parker@SpartanStores.com

Owner Information (If different from applicant)
Name: Robbins Road Real Estate, LLC & Bowling Family Investment LLC
Phone: (616) 726-2703
Address: PO Box 1029, Saugatuck, MI 49453

Property Information
Address/Location: 17200 Robbins Road
Parcel Number: 70 - 03 - 33 - 100 - 047
Current Zoning: C-1 with Overlay
Size (acres) 6.63 (partial)
Master-Planned Zoning: Regional Commercial

Description of Proposed Use/Request (attach additional pages as needed)
Maintain existing gas station use. Site and building improvements.

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapters 19 and 23 of the Zoning Ordinance. 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: 1/23/17

* 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.
March 29, 2017 (Revised)

Stacey Fedewa – Community Development Director
Grand Haven Charter Township
13300 168th Avenue
Grand Haven, MI 49417

Re: D&W Quick Stop - Site Plan Submittal
Grand Haven, MI
PDI Project #1605068

Dear Stacey:

In addition to the previously submitted plans for the above project, we have prepared the following information summarizing project conformance with Chapter 15A of the zoning ordinance (US-31 & M-45 area overlay zone).

Based on our previous discussion, including the December 19th and March 1st “pre-application” meetings, the project is classified as a “Change in Use-Minor” relative to Section 15A.03A Applicability Matrix. This matrix triggers compliance with landscaping improvements, access management improvements, and "discretionary" improvements.

- Section 15A.06 Access Standards
  - The applicant (Spartan Nash) will lease a portion of the existing larger parcel, and will have one (1) “dedicated" driveway (existing) on Robbins Rd. The 172nd Ave. driveway provides access to the project, but is part of an off-site shared access point.
  - As part of the proposed project improvements, an existing driveway on 172nd Ave. will be closed to comply with this section.
  - Minimum driveway spacing per this section is “not applicable” as the driveways are existing access points today.

- Section 15A.08 Dimensional Standards
  - This section does not apply, as the existing building setbacks and yard dimensions will not change from existing conditions.

- Section 15A.09 Woodland Protection
  - This section does not apply, as the existing site condition is entirely impervious surface.

- Section 15A.10 Landscaping and Overall Site Design
  - The perimeter paved drives and parking areas will contain curbing
  - Parking provided does not exceed the minimum requirement of one (1) space per 200 sf “useable” area.
  - Greenspace and plantings have been added south of the C-store building.
o Plantings have been added where space allows at modified 172nd Ave. driveway and intersection of Robbins and 172nd Ave.

- Section 15A.11 Architecture
  o This section does not apply to “Change in Use – Minor”, but we have attempted to demonstrate a change to bring the existing building closer to compliance from its current condition, as follows:
    ▪ The existing building is a pre-engineered metal building, with metal siding on three (3) sides.
    ▪ The existing metal siding will be replaced with a cement-fiber “wood-look” type siding and trim, similar to many buildings within the Township and City of Grand Haven (surrounding area). This would meet the intent of the ordinance “south” of Hayes Rd., even though this site is “north” of Hayes Rd.
    ▪ The proposed EIFS on gable ends and eave fascia of the building represent less than 20% of each façade facing a public street.
    ▪ The Robbins Rd. elevation complies with window requirement (greater than 15%, less than 80%). The 172nd Ave. elevation is not proposed to change, so this requirement does not change from its existing condition.
    ▪ Fueling canopy style will remain the same, including the existing LED canopy lighting (no site lighting modifications proposed).

We feel that the site and building plans, as submitted, comply with the applicable regulations of your township zoning ordinance, and address the staff comments memo dated 3-24-2017.

Should you have any questions, or require any additional information, please do not hesitate to contact me at (616) 785-5567 or via email at jwalsh@paradigmae.com.

Respectfully Submitted,

PARADIGM DESIGN, INC.

John R. Walsh, P.E.
Principal Engineer

Cc: Brett Parker (Spartan Nash)
A project plan showing the layout and grading of a site. The site includes various utility lines, walkways, and drainage systems. The project is intended to be used for a fuel-related facility, with specifications for grading, erosion control, and sediment management. The plan includes details on the construction sequence, soil erosion, and sediment control measures. The project is part of a larger plan for a fuel station, with specifications for the area's infrastructure and utilities. The plan includes construction details, utilities, and site access.
NOTE:
ALL UTILITIES SHOWN ARE APPROXIMATE LOCATIONS FROM FIELD DATA AND AVAILABLE INFORMATION. THEY SHOULD NOT BE INTERPRETED AS EXACT LOCATIONS NOR SHOULD THEY BE ASSUMED TO BE THE ONLY UTILITIES IN THE AREA.
NOTE:
1. Alle boundaries that are marked by the approved utility easements in the site
2. Conceptual utilities shown in this drawing are for planning purposes only and are not intended for construction. Actual utilities shall be based on the approved utility easements. Equipment locations and planters shall be used as a guide only; all planters shall be coordinated with the landscape contract. The utility locations are approximate based on the field data and availability of the landowner. They should not be interpreted as exact locations nor should they be assumed to be the only utilities in the area. The utilities shown are approximate, and they should not be interpreted as exact locations nor should they be assumed to be the only utilities in the area.
HARDIE HARDIE TRIM BOARDS,
FIBER-CEMENT TRIM: JAMES HARDIE
HARDIE PLANK LAP SIDING, SMOOTH WITH 4" EXPOSURE OR APPROVED EQUAL OVER AIR & WATER BARRIER ON SHEATHING, AS PER SIDING MANUFACTURER'S RECOMMENDED INSTALLATION GUIDELINES - PAINT COLOR TO MATCH SW7743 MOUNTAIN ROAD.

EXISTING METAL DOOR AND PANELS - PAINT COLOR TO MATCH SW7743 MOUNTAIN ROAD.
EXISTING VENTED SOFFIT INSTALLATION GUIDELINES - PAINT COLOR TO MATCH SW7743 MOUNTAIN ROAD.
EXISTING PILLASTER - REPAIR SW7743 MOUNTAIN ROAD.
EXISTING ELECTRICAL METER FRAME - PAINT TO MATCH SW7743 MOUNTAIN ROAD.
EXISTING FUEL EXISTING VENT TELEPHONE EQUIPMENT EXISTING VENTED SOFFIT PANELS - PAINT COLOR TO MATCH SW7743 MOUNTAIN ROAD.
EXISTING KNOX-BOX TELESORE EQUIPMENT EXISTING VENTED SOFFIT PANELS - PAINT COLOR TO MATCH SW7743 MOUNTAIN ROAD.
EXISTING STEEL BUMP POST WITH HDPE COVER - TYP.
EXISTING BRICK - CLEAN AND APPLY CLEAR WATER REPELLANT.
EXISTING METAL ROOF INSTALLATION GUIDELINES - PAINT COLOR TO MATCH SW7048 URBANE BRONZE.

PANELS - PAINT COLOR TO MATCH SHERWIN WILLIAMS AND FINISH SYSTEM - COLOR TO MATCH SW7743 MOUNTAIN ROAD.

NEW STEEL BUMP POST WITH HDPE COVER - TYP. AT FOUR CORNERS OF BUILDING.

MATCH D&W FRESH MARKETS ENTRANCE. COLOR TO MATCH SW7743 MOUNTAIN ROAD.

NEW WALL MOUNTED LED LIGHTING FIXTURE - TYP.

NEW EXTERIOR INSULATION TO MATCH SHERWIN WILLIAMS AND FINISH SYSTEM - COLOR TO MATCH SW7048 URBANE BRONZE.

5/4 NT3 SMOOTH, 3.5 IN. WIDTH AS REQUIRED OR APPROVED EQUAL OVER AIR & WATER BARRIER ON SHEATHING, AS PER SIDING MANUFACTURER'S RECOMMENDED INSTALLATION GUIDELINES - PAINT COLOR TO MATCH SW7743 MOUNTAIN ROAD.

EXISTING METAL ROOF
EXISTING BRICK - CLEAN AND APPLY CLEAR WATER REPELLANT

NORTH ELEVATION - PROPOSED
1/4" = 1'-0"

SOUTH ELEVATION - PROPOSED
1/4" = 1'-0"

EAST ELEVATION - PROPOSED
1/4" = 1'-0"

WEST ELEVATION - PROPOSED
1/4" = 1'-0"
1. SIGNS SHALL BE TACTILE WITH 1-1/4" LETTERING

2. PROVIDE TWO H.C. GRAB BARS MOUNTED 33" - 36" AFF: TOILET ROOM ELEVATION NOTES

3. ALL DIMENSIONS ON THESE ELEVATIONS ARE REQUIRED TO

4. PROVIDE TWO H.C. GRAB BARS MOUNTED 33" - 36" AFF: TOILET ROOM ELEVATION NOTES

5. ACCESSORY INFORMATION AND CLEARANCES.
Community Development Memo

DATE: April 13, 2017
TO: Planning Commission
FROM: Stacey Fedewa, Community Development Director
RE: PUD – Housing for the Elderly – Village at Rosy Mound

<table>
<thead>
<tr>
<th>PROPERTY DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Address</td>
</tr>
<tr>
<td>14110 Lakeshore*</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>Existing Land Use</th>
<th>Existing/Proposed Infrastructure</th>
<th>Existing Site Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Professional (SP)</td>
<td>Undeveloped Land</td>
<td>Paved Roadway Municipal Water Sanitary Sewer</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Master-Planned Zoning</th>
<th>Surrounding Zoning &amp; Land Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction</td>
<td>Zoning</td>
</tr>
<tr>
<td>-----------</td>
<td>--------</td>
</tr>
<tr>
<td>N</td>
<td>SP &amp; R-1</td>
</tr>
<tr>
<td>S</td>
<td>R-1</td>
</tr>
<tr>
<td>E</td>
<td>I-1 &amp; I-1A</td>
</tr>
<tr>
<td>W</td>
<td>R-1</td>
</tr>
</tbody>
</table>

* 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

- **Property Details**

- **Existing Zoning**

- **Service Infrastructure**

- **Site Improvements**

- **Master-Planned Zoning**

- **Surrounding Zoning & Land Uses**
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 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 Commission 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.

PUD PROPOSAL – HOUSING FOR THE ELDERLY

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>
</tr>
</thead>
<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 two-thirds 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**

![Assisted Living Facility Image]

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/1bath.
Cottages

Land Area for Use = 8.53 acres
Total No. Units = 27 (2 two-unit bldgs, 5 three-unit bldgs, 2 four-unit bldgs)
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 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 Developer is proposing drastically less than what is permitted by the Overlay Zone (*1 space/200 sqft useable floor area*), and less than what is permitted by right.

### 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.
Woodland Protection & Landscaping

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 Added</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>N/A</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 entrance ways. 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 on their Ferry Street development. The size complies with the basic zoning regulations, will be internally illuminated, and have landscaping around the base.

![Signage Diagram](image)

**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, and landscaping will be appropriate to the site’s soil and microclimate 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.
STAFF REQUEST FOR CERTAIN CONSIDERATION

During the design process of this site there were a handful of minor subjects that staff and the Developer did not agree on, and both decided to provide the Planning Commission with the information to make the decision.

- 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 believes the two structure types should be modified to meet some type of higher architectural and/or building material standard.
  - The Developer believes it is cost prohibitive and unnecessary to build high-end garage ports and carports.

- 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.
  - The Developer believes this 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.

- 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.

- The 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.

- Section 17.05.6 describes Transition Area requirements. The Developer requests the Planning Commission 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.

### COMPLETE LIST OF REQUESTED DEPARTURES

Below is a list of all the departures being requested from the Developer along with staff comments. Each of these will need to be considered and a finding made for each request, which will be incorporated into the recommendation made to the Board on this project. 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).

<table>
<thead>
<tr>
<th>No.</th>
<th>Section</th>
<th>Request</th>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>11.04</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</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</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></td>
<td>15A.10.5</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>---</td>
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<td>---</td>
<td>---</td>
</tr>
<tr>
<td>5</td>
<td>15A.10.11</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.11.3</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</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>
<tr>
<td>8</td>
<td>17.05.1.E</td>
<td>Find the use of driveways built to OCRC road standards is permitted in order to remove the right-of-way requirement.</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>15A.11.3</td>
<td>Find the separation between points of ingress/egress is sufficient and accommodates vehicular circulation.</td>
<td>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.</td>
</tr>
<tr>
<td>9</td>
<td>19.07.28.D</td>
<td>Allow the Assisted Living facility to have frontage on the proposed driving surface instead of fronting onto a paved road like Lakeshore Drive.</td>
<td>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.</td>
</tr>
</tbody>
</table>
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.

Allow a 6’-6” tall decorative fence for the Assisted Living Memory Care Courtyard. 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.

- 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.

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.

**SAMPLE MOTIONS**

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

**Motion** 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. List additional conditions.

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

**Motion** to recommend to the Township Board denial of the Village at Rosy Mound PUD, and direct staff to draft a formal motion and report 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 Planning Commission 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.
Experience the Difference
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
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 Laughiin, Managing Director
Phone: 616-842-5400
Address: 14100 Lakeshore Drive, Grand Haven, MI 49417
Fax: 616-850-7237

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: S/P/R-1, South: R-1
Master-Planned Zoning: Medium-High Density Residential PUD
Size (acres): 26.92
Zoning Requested: Residential PUD
East: Industrial/R-1
West: R-1

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
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
GRAND HAVEN TOWNSHIP, MICHIGAN

BUILDING & CODE DATA

MISC. SITE PLANS AND DETAILS

CONGREGATE BUILDING SECOND FLOOR BUILDING PLAN

CONGREGATE BUILDING FIRST FLOOR BUILDING PLAN

ARCHITECTURAL SHEET INDEX

SK1.1
SK1.3
SK1.2
SK0.1
BD

CONGREGATE BUILDING TYPICAL UNIT PLANS

SK1.5
SK2.1
SK1.6

ASSISTED LIVING TYPICAL UNIT PLANS

SK3.2
SK3.1
SK2.3

COTTAGE UNIT & BUILDING PLANS

COTTAGE ELEVATIONS BUILDINGS 4, 5, 6 & 9

CONGREGATE BUILDING THIRD FLOOR BUILDING PLAN

CONGREGATE BUILDING EXTERIOR ELEVATIONS

ASSISTED LIVING PHASE II BUILDING PLAN

COTTAGE ELEVATIONS BUILDINGS 1, 2, 3, 7 & 8

ASSISTED LIVING EXTERIOR ELEVATIONS

ASSISTED LIVING EXTERIOR ELEVATIONS

MAINTENANCE GARAGE & SIGNAGE

SITE LIGHTING FIXTURES

SITE LIGHTING PHOTOMETRIC PLAN

ESL-1

CONGREGATE BUILDING EXTERIOR ELEVATIONS

ASSISTED LIVING EXTERIOR ELEVATIONS

SK2.6

VILLAGE AT ROSY MOUND

Reenders, Inc.
Park Place Center
930 Teller Ave.
Grand Rapids, Michigan 49503
(616) 942-2425

Progressive Associates, Inc.
805 West Long Lake Road
Suite 120
Roswell, MI, Michigan 48092
(989) 542-2900

Nederveld Associates, Inc.
340 Hoover Boulevard
Holland, Michigan 49423
(616) 394-3448

Reenders, Inc.
Park Place Center
930 Teller Ave.
Grand Rapids, Michigan 49503
(616) 942-2425

Progressive Associates, Inc.
805 West Long Lake Road
Suite 120
Roswell, MI, Michigan 48092
(989) 542-2900

Nederveld Associates, Inc.
340 Hoover Boulevard
Holland, Michigan 49423
(616) 394-3448

issued for:
TOWNSHIP REVIEW 1.6.17
TOWNSHIP REVIEW 3.8.17
TOWNSHIP RESUBMITTAL 4.10.17
AS APPROVED BY THE OWNER.

COLOR SHALL BE BRONZE OR 

LED LIGHT FIXTURE ON ALUM. POLE 

ALUM. POLE - TYP. 

FIN. GRADE OR PVMNT 

INDICATES SITE LIGHTING POLE = 

SITE LIGHTING DETAIL 

PER ELECT DRAWINGS & 

REINF CONC BASE 

POLE MFR'S REQ'TS 

PARKING OR 

CURB 

FINISHED CONC BASE 

POLE BASE 

FOR LIGHT & POLE SPECIFICATIONS 

REFER TO ELECT DRAWINGS 

AND LOCATIONS OF LIGHTING 

PER MFR & 

ELECT. DWGS. 

2'-0" AFG WHERE 

ADJ. TO PARKING 

20'-0" 

DRIVEWAY 

(EXTERIOR LIGHTING TO MEET 

ZONING ORDINANCE REQ'S. AS 

SPECIFIED IN SECTION 20A) 

SEE SITE PHOTOMETRIC FOR LOCATION
**Lithonia Lighting**

**Features & Specifications**

<table>
<thead>
<tr>
<th>Model</th>
<th>L2S 400-100-WW</th>
<th>L4S 400-100-WW</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>3130C LED Impact Resistant Square Bollard Wedge Top</td>
<td>6060C LED Area Luminaire</td>
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<tr>
<td><strong>Lighting</strong></td>
<td>High Performance</td>
<td>High Performance</td>
</tr>
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<td><strong>Application</strong></td>
<td>Outdoor Lighting</td>
<td>Outdoor Lighting</td>
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<tr>
<td><strong>LED Technology</strong></td>
<td>15-Watt LED</td>
<td>30-Watt LED</td>
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<td><strong>Color</strong></td>
<td>Warm White</td>
<td>White</td>
</tr>
<tr>
<td><strong>Lumen Output</strong></td>
<td>4,000 Lumens</td>
<td>4,000 Lumens</td>
</tr>
</tbody>
</table>

**Description**
The 3130C LED is a high-performance outdoor lighting fixture designed for demanding applications. Its sleek, modern design, combined with advanced LED technology, ensures long-lasting performance and energy efficiency. The fixture is engineered to withstand harsh environmental conditions, making it ideal for outdoor applications such as parking lots, streets, and public areas.

**Specifications**

- **Model**: L4S WW 3130C LED
- **Lumen Output**: 30,000 Lumens
- **Color Temperature**: 4000K
- **Input Voltage**: 120-277V
- **Weight**: 30 lbs
- **Dimensions**: 20" x 20" x 12"
- **Mounting Options**: Surface mount, pole mount, and gusset mount

**Accessories**

- **Mounting Brackets**: Available in various mounting configurations
- **Power Supply**: Optional for remote power supply options
- **Remote Control**: Optional for advanced control features

**Installation Information**

- **Mounting**: For optimal performance, follow the manufacturer’s guidelines for proper installation andto ensure stability and security of the fixture.
- **Wiring**: Follow local electrical codes and the manufacturer’s instructions for electrical connections.
- **Maintenance**: Regular maintenance is crucial to keep the fixture in optimal condition. Check for any signs of wear or damage and replace parts as necessary.

**Developer**

Reenders, Inc.

**Address**

838 W. Long Lake #250
Bloomfield Hills, MI 48302

**Contact Information**

Email: pai@progressiveassociates.com
Phone: 248 540-5940
Fax: 248 540-4820

**Project Number**: 15-140

**Project Title**: The Village at Rosy Mound

**TOWNSHIP REVIEW**: 3/8/17

**TOWNSHIP RESUBMITTAL**: 4/10/17
### Statistics

<table>
<thead>
<tr>
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<th>Symbol</th>
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<th>Max</th>
<th>Min</th>
<th>Max/Min</th>
<th>Avg/Min</th>
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<td>6.3 fc</td>
<td>0.1 fc</td>
<td>63.0:1</td>
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<td>0.1 fc</td>
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<td>0.1 fc</td>
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<td>4.8 fc</td>
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<td>0.2 fc</td>
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<tr>
<td>South Emergency Drive</td>
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<td>0.8 fc</td>
<td>7.7 fc</td>
<td>0.1 fc</td>
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<td>8.0:1</td>
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<td>0.9 fc</td>
<td>2.7 fc</td>
<td>0.1 fc</td>
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<td>3.9 fc</td>
<td>0.1 fc</td>
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<tr>
<td>Turnaround</td>
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<td>2.5 fc</td>
<td>0.1 fc</td>
<td>25.0:1</td>
<td>8.0:1</td>
</tr>
</tbody>
</table>
INCIDENTAL USE AREA REQUIREMENTS PER MBC

INTERIOR NON-BEARING PARTITIONS

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

FIRE (SEPARATION) WALL

ROOF CONSTRUCTION

FEDERAL FAIR HOUSING ACCESSIBILITY GUIDELINES - RESIDENT ROOMS

BUILDING ELEMENT FIRE RESISTANCE RATINGS

b.

3(50%&6(&7,21³1216(3$5$7('2&&83$1&,(6´

THE FOLLOWING SPACES ARE TO BE PROVIDED WITH (1) HOUR

THE STRUCTURE IS DIVIDED INTO (2) SEPARATE BUILDINGS (AREA 1 & AREA 2)

AMERICANS WITH DISABILITIES ACT 2010 - COMMON USE AREAS

ASSISTED LIVING BUILDING

PORTABLE FIRE EXTINGUISHERS

MANUAL FIRE ALARM SYSTEM W/SECONDARY POWER SUPPLY

ROOMS CONTAINING COOKING APPLIANCES (INCLUDING MICROWAVES) SHALL BE

BOILER & FURNACE/MECHANICAL ROOMS CONTAINING FUEL FIRED EQUIPMENT

(SPECIFIED FIRE RATING)

FIRE SPRINKLER SYSTEM AT WINGS

FIRE SPRINKLER SYSTEM AT CORE:

PROVIDE AN APPROVED, ELECTRICALLY SUPERVISED, AUTOMATIC FIRE SUPPRESSION SYSTEM THROUGHOUT, IN

ACCORDANCE WITH APPLICABLE SECTIONS OF THE 2012 MBC, NFPA 13R-07 & GRAND HAVEN TWP. FIRE

AREA UNDER EXTERIOR ROOFS OR CANOPIES EXCEEDING 4 FT IN WIDTH PER NFPA 13, AND PATIO & DEK/BALCONY

AREA PER MBC SECTION 903.3.1.2.1.  THE SYSTEM SHALL BE MONITORED VIA APPROVED CENTRAL

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

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

THE PROPOSED CONGREGATE STRUCTURE SHALL BE DIVIDED INTO (4) FOUR SEPARATE BUILDINGS WITH

THE ALLOWABLE HEIGHT & AREA OF THE BUILDING SHALL BE BASED ON THE MOST

HIGHEST ALLOWABLE BUILDING HEIGHT = 3 STORIES/70 FT

THE PROPOSED CONSTRUCTION: VA	USE GROUP: R-2

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY 'STANDARDS OF DESIGN'

2009 MICHIGAN UNIFORM ENERGY CODE, PART 10A

2012 MICHIGAN PLUMBING CODE


APPLICABLE CODES/DESIGN STANDARDS

CODE DATA

I-2 USE GROUP (TERRACE)

I-1 USE GROUP (GEN ASST)

V(1,1,1) PER TABLE 18.1.6.1; 2012 NFPA 101

V(1,1,1) PER TABLE 18.1.6.1; 2012 NFPA 101

CLASS 'B'

CLASS 'B'

1.50 GALLONS PER MINUTE (GPM) MINIMUM FOR THE FOLLOWING AREAS

3.00 GALLONS PER MINUTE (GPM) MINIMUM FOR THE FOLLOWING AREAS

1.6.17

TOWNSHIP REVIEW

4/10/17

TOWNSHIP RESUBMITTAL

3/8/17

248 540-5940    Fax 248 540-4820

838 W. Long Lake #250

The Village

Grand Haven Township, Michigan

Drawn:

Checked:

PA

15-140
The Village at Rosy Mound
Grand Haven Township, Michigan

CONGREGATE BLDG
SECOND FLOOR

BUILDING PLAN

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

COMMON AREAS

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

UNIT COUNT

- UNIT 'A'      685sf (1 BED/1 BATH) 6
- 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 'C4'  1364sf (2 BED/2 BATH deluxe upgraded) -
- UNIT 'Ba'    983sf (2 BED/1.5 BATH) 2
- UNIT 'A2'    790sf (1 BED/1 BATH deluxe) -
- UNIT 'A3'    794sf (1 BED/1 BATH deluxe) 1
- UNIT 'A1'    685sf (1 BED/1 BATH) -
- UNIT 'A4'    790sf (1 BED/1 BATH) -
- UNIT 'A5'    685sf (1 BED/1 BATH) -
- UNIT 'B5'    937sf (2 BED/1.5 BATH) -
- UNIT 'B6'    937sf (2 BED/1.5 BATH) -
- UNIT 'B7'    937sf (2 BED/1.5 BATH) -
- UNIT 'C6'    937sf (2 BED/2 BATH) -
- UNIT 'C7'    937sf (2 BED/2 BATH) -
- UNIT 'C8'    937sf (2 BED/2 BATH) -

TOTAL:

- 41 units

TOWNSHIP REVIEW
1/6/17
TOWNSHIP RESUBMITTAL
4/10/17
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 site’s 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 site’s 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)

<table>
<thead>
<tr>
<th>Unit</th>
<th>685 sf w/o Balcony/Patio</th>
<th>741 sf w/Balcony/Patio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit “A” (1BR)</td>
<td>937 sf w/o Balcony/Patio</td>
<td>993 sf w/Balcony/Patio</td>
</tr>
<tr>
<td>Unit “b3” (2BR)</td>
<td>1106 sf w/o Balcony/Patio</td>
<td>1162 sf w/Balcony/Patio</td>
</tr>
</tbody>
</table>

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 0.75 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 of 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:

Resident Parking 116 units x 60% 70
Staff Parking 3
Visitor Parking 25
TOTAL PARKING SPACES 98
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 pitcher), 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,

[Signature]

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

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 recategorization 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**

<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>S PROT</th>
<th>ELCAT</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Zizania aquatica var. aquatica</em></td>
<td>Wild rice</td>
<td>GSTS</td>
<td>S253</td>
<td>1984</td>
<td>1988-08-12</td>
<td>T</td>
<td>Plant</td>
<td></td>
</tr>
<tr>
<td><em>Cirsium pitcheri</em></td>
<td>Pitcher’s thistle</td>
<td>G3</td>
<td>S3</td>
<td>1985-07-25</td>
<td>2015-10-01</td>
<td>LT</td>
<td>T</td>
<td>Plant</td>
</tr>
</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>S PROT</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>Community</td>
<td></td>
<td></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>Community</td>
<td></td>
<td></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>Community</td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Pisidium cruciatum</em></td>
<td>Ornamental peaclam</td>
<td>GU</td>
<td>SNR</td>
<td>1959-08-25</td>
<td>1959-08-25</td>
<td>SC</td>
<td>Animal</td>
<td></td>
</tr>
<tr>
<td><em>Pisidium simplex</em></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>Animal</td>
<td></td>
</tr>
<tr>
<td><em>Corispermum pallasii</em></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>Plant</td>
<td></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 2-3 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