AGENDA
Park Township
Planning Commission Regular Meeting
May 13, 2020
6:30 p.m.

(Please turn off or set to silent mode all cellphones and other electronic devices)

VIA ZOOM
Meeting ID: 891 0278 6740 / Password: 868816 / Toll Free: (929) 205-6099

- We ask that attendees please conduct themselves in the same manner they would if physically present at a meeting at Park Township Hall.

- We ask that attendees, besides Commission members, Staff, and the recording secretary be on mute. Members of the public will be permitted to make comments during both public comment portions of the meeting. If any participant would like to speak, please virtually raise your hand. The Planning Commission Chair will recognize those requesting to speak, and will ask each Planning Commission member if they have comments on the matter(s) discussed.

- The Planning Commission has paper and electronic copies of the meeting materials, which were posted on Park Township’s website on or around May 6th. The meeting host may also share meeting materials using screen share functionality.

- Please note that this meeting is being recorded, and disruptive participants will be removed from the meeting. If there are too many disruptions to the meeting, the meeting will end early.

- All votes should be taken by roll call vote.

1. Call to Order

2. Approval of Agenda

3. Approval of Minutes: Regular meeting March 11, 2020

4. New Business:
   a. None

5. Old Business:
   a. Planned Unit Development
      i. Anchorage Marine – Major Amendment, Preliminary Development Plan – 1825 Ottawa Beach Road
**Anticipated Action:** Provide recommendations to the applicant, together with any recommended changes or modifications. Section 38-373(e), PTZO.

b. Ottawa Beach NHP
   i. Discussion to determine a future meeting date for the related public hearing

**Anticipated Action:** Tentatively schedule a future meeting date

6. Discussion of Election of Officers

7. Public Comments

8. Announcements
   a. Next Planning Commission meeting date June 10, 2020

9. Adjourn
Executive Summary

Pursuant to the Michigan Planning Enabling Act, Act 33 of 2008, as amended, the Park Township Planning Commission (PTPC) was formed to review land use proposals and provide approval, denial, or recommendation to the Park Township Board of Trustees regarding the same; draft and maintain the Park Township Master Plan; conduct revisions to the Park Township Zoning Ordinance and provide recommendation and; conduct review and analysis of other related land use matters as requested by the Park Township Board of Trustees.

As a result of the responsibility of the PTPC, the Department of Community Development provides this monthly activity report as a synopsis of the land use planning efforts of the PTPC.

Current Land Use Proposals

Anchorage Marine Planned Unit Development Amendment

At the February 12, 2020 meeting of the PTPC, the applicant sought to amend the existing Planned Unit Development and establish six (6) residential units in the existing second story and a proposed third story, as two (2) story units. The PTPC directed the applicant to revise the Preliminary Planned Unit Development Plan accordingly, and return for a second review of the Preliminary Plan. The second submission is scheduled for the May 13, 2020 meeting of the PTPC.

Current Ordinance Reviews

Tree Preservation

The proposed Tree Preservation Chapter was authorized to be scheduled for a public hearing at the next available meeting of the PTPC. Due to COVID-19 this has not been scheduled and remains on hold at the direction of the Chairperson.

Neighborhood Heritage Preservation (NHP)

Ottawa Beach (West Michigan Park Association)

The PTPC completed their review of the draft overlay district language at their February 12, 2020 meeting, providing direction to staff to perform final revisions. While the Chairperson was to coordinate with staff regarding a public hearing during the late Spring or early Summer season months to ensure the opportunity for public attendance, due to COVID-19 discussion will be held among the PTPC membership at their May 13, 2020 meeting to determine how to proceed with a future meeting.
Four Remaining NHP Areas

Pursuant to the direction of the PTCP, staff has begun the process to examine the results of the public workshops related to the four remaining NHP areas. Staff wants to begin this process with phone calls to some of the stakeholders. Unfortunately, due to COVID-19, scheduling of those phone calls has been delayed. Following the completion of those calls and staff analysis of the workshop results, staff intends to present their findings and recommendations to the PTPC.

Construction Observation Update – Approved Land Use Projects

The Reserve on Lake Macatawa

The building permit has been issued for the community building, which was recently modified to address a structural issue. No permits have been sought for any residential units.

Beachwalk Condominiums – Ottawa Beach Road

NO CHANGE - A building permit application has been received for the community pool.

Coastal Condominiums

The Township Board approved the extension of the PUD for one (1) year at their April 9, 2020 meeting. However, Staff learned on April 13, 2020 that the ownership of the subject property was transferred to an adjoining property owner on April 12, 2020. Subsequently, said neighbor requested to temporarily utilize the property for sales of farm products during the COVID-19 pandemic. Township Staff confirmed with the Township Attorney that if the use of the property was modified to farm sales, even temporarily, that the right to utilize the Coastal Condominiums PUD would be terminated and the property would revert back to the underlying zoning district. The current property owner agreed to lose the right to the PUD. As such, this project and PUD are inactive, and would have to be fully resubmitted to the Planning Commission again, in order to be utilized as a PUD.

KIN Coffee – 1200 Ottawa Beach Road – Coffee Shop and Residential Use

A sign permit (and associated electrical permit) was issued on October 21, 2019. Remodel permits were issued on April 24, 2019 for the second floor apartment, which has since had its final inspections and approval. Remodel permits for the first floor coffee shop were issued in March 2020, where interior work continues.

Cityside Apartments – 3618 Butternut Drive

NO CHANGE – A building permit was issued on October 8, 2019. Work continues.

Upcoming Matters

Itty Bitty Bar Parking Lot
The Itty Bitty Bar is seeking to construct additional parking to serve their multi-tenant building located at 1130 Ottawa Beach Road. Staff has provided review comments to the applicant but has not received a response for several months. The applicant illegally expanded their parking area again and a Stop Work Order was posted by the Township. Subsequently, we understand the applicant is seeking quotes to compile the required revisions to the site plan for review.

In April 2020, the new owner of the properties to the east of the Itty Bitty Bar parking lot, previously approved as the Coastal Condominiums PUD, was approved for a temporary peddler’s license for Visser Farms to sell produce from a truck on the property. The owner came to an agreement with BVW, the owner of the Itty Bitty Bar parking lot, to utilize the bar’s gravel parking area for parking for the farm truck. The owner was told that the parking area cannot expand, and cannot be paved.

*Macatawa Legends Planned Unit Development Amendment*

NO CHANGE – The applicant seeks to amend the existing Planned Unit Development and establish 57 single family lots on an existing private road. The applicant is revising the plans as a result of our review comments and is anticipated to be on a subsequent agenda. However, we have not received any response for a few of months.
CALL TO ORDER:

Chair Pfost called to order the regular meeting of the Park Township Planning Commission at 6:30 P.M., held in the Township Hall at the Park Township Office.

ATTENDANCE:

Present: Dennis Eade, Rosemary Ervine, Diana Garlinghouse, David Kleinjans, Jeff Pfost
Absent: (with notice) Terry DeHaan, Denise Nestel
Staff: Greg Ransford, Planner, Dan Martin, Legal Counsel

APPROVAL OF AGENDA:

Motion by Ervine, supported by Kleinjans, to approve the agenda as submitted.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

APPROVAL OF MINUTES:

Kleinjans noted two corrections on pages 2 and 4. Pfost pointed out an error in the vote tally on page 7.

Motion by Ervine, supported by Kleinjans, to approve the February 12, 2020 Regular Meeting Minutes as corrected.

Voice Vote:
Ayes 5, Nays 0. Motion carried.

NEW BUSINESS

A. Coastal Condominiums – PUD Extension Request

This is a request from Todd Sneller to extend the PUD approval for Coastal Condominiums for a period of one year. This development is adjacent to the Itty Bitty Bar on Ottawa Beach Road and approved to construct two storage buildings and four residential dwellings. It was approved by the Township Board on March 14, 2019. The applicant can request an extension of up to one year form the date of approval if evidence is provided pursuant to Section 38-377 of the Park Township Zoning Ordinance.

In a letter Sneller states that the expected approval date from the Township did not occur which resulted in the scheduled availability of contractors being compromised. He also indicates that the resulting season available for contractors was in the fall which was too short to begin construction before winter.

Ransford said they will have one year to complete the construction if the Planning Commission considers the request as reasonable and recommends approval to permit the request.

Sneller spoke to the request. He explained that everything got backed up because of problems with dates and the weather timeline. He asks for a year extension to complete the project.

Ervine asked if the property was up for sale.

Sneller said it has always remained for sale. The owner wanted to keep his options open if the project didn't succeed.

Garlinghouse asked what would happen if the developer changes his mind on completing the project.

Martin said the Township has a bond to cover costs of public infrastructure in this kind of situation, or the property could be used as zoned without the benefit of the PUD.

Pfost asked about conditions.

Martin said they are asking for an extension of the timeframe based on original conditions imposed by the Planning Commission and Board. He was not certain if more conditions could be added to granting an extension to the existing PUD.

Pfost clarified this is an extension for one year of the original PUD.
Martin said he will look into the possibility if the Township Board can impose original conditions, if the Board desires such additional conditions when acting to extend the timeframe.

Garlinghouse asked when the timeline for the original PUD expires.

Martin said the expiration date is one year from the date of granting this request.

Kleinjans observed this project has had problems with access to frontage, land use problems, etc. Now we have a delay and the property is still for sale. He is uncomfortable with it.

Tom Post said once the owner decides to move forward with the project it won’t be changed.

Ervine asked what happens to the property if it is sold to another owner.

Martin noted if they sell the property they must use it either as permitted by the PUD or as currently zoned. The PUD conditions go with the land if it is sold to another owner. The new owner would have to begin construction on the development with the new time frame.

Eade moved, supported by Garlinghouse, to recommend the consideration of granting the request to the Township Board based on the evidence presented.

Martin recommended the motion include the caveat that the Planning Commission recommends that the Board consider adding any appropriate conditions with the approval by the Township Board. He will review this before the Township Board meeting.

Eade amended the motion to include Martin’s recommendation.

Roll Call Vote:

Garlinghouse, aye; Kleinjans, aye; Ervine, aye; Pfost, aye; Eade, aye.

Ayes 5, Nays 0. Motion carried.

B. Tree Preservation – Chapter 33

As a result of the establishment of a Tree Preservation Committee, requested by the Planning Commission, a draft of a new chapter to the Park Township Zoning Ordinance, Chapter 33, is submitted for review. The proposed language focuses on six areas:

1 – Street trees on certain roadways
2 – Prevention of clear cutting
3 – Stands of trees and wildlife corridors
4 – Reforestation or replacement of trees that have been removed
5 – Tree buffers in residential, commercial and industrial developments
6 – Lots not part of residential, commercial or industrial developments

Kleinjans, Pfost and Ervine participated in the committee discussion for the development of guidelines.

Kleinjans reviewed the more significant recommendations to be considered by the Planning Commission. He pointed out that all key considerations are based on the Master Plan. The Committee discussed the concept of preservation of heritage trees but concluded identification of such trees would be difficult. They wanted reasonable and well balanced recommendations.

In developments the Township can insist on buffers. The numbers in the proposed language are recommendations and given as placeholders. The committee looked at tree-lined streets, PUDs, and canopy preservation

Ransford said they looked at residential developments. If a tree is within the right-of-way the Road Commission could pull them. Trees between the road and sidewalk are within the right-of-way.

With regard to tree-lined streets, Kleinjans shared a map showing major streets in the Township that should be considered for tree preservation. The committee recommends that no property owner can remove a tree within the street right-of-way of 40'.

Martin said there is shared control over rights-of-way, with both the County Road Commission and the Township having authority, but primarily by the Road Commission. You can ask them about canopy trees, they are open to listening in most areas, but they will have the last word.

Pfost asked if we have an ordinance, does that give it more teeth in dealing with the Road Commission.

Martin said the Road Commission generally has the last word regarding right-of-way situations. Health and safety are considerations the Road Commission has. These will outweigh aesthetics, which is the Township’s primary consideration.

Ransford said the Road Commission can come back to us if the trees interfere with the right-of-way.

Kleinjans noted that 40' from the street right-of-way is a placeholder number. The biggest negotiable item is distance from the front yard.

Ransford noted we can always modify this if it should change in the future given a Road Commission alteration in policy.
The Planning Commission discussed whether 160th should extend from New Holland or Quincy to Ottawa Beach Road or Post Road. It was agreed the distance for this major artery be from New Holland to the north to Post Road to the south.

With regard to **tree stands**, the committee agreed they should be preserved in residential developments of two or more. Buffers are a requirement in preservation of trees.

**Wildlife corridors** should be maintained by connecting buffers and tree stands, especially if two developments are next to each other. Within wildlife corridor buffers dead trees are natural and shouldn’t be removed.

Regarding **clear cutting**, the committee agreed we don’t want people clear cutting. If clear cutting is deemed necessary for legitimate agricultural use it has to be maintained as agricultural land for five (5) years.

For preservation of **canopy** trees, the definition must be clear as to how much is trimmed from the bottom of the tree. The recommended numbers: a tree can’t be trimmed more than 8’ above ground, or 5’ from the highest point of the building.

A **reforestation** plan shall be performed by a Forester and include a management plan for the development. Such a plan of no less than 25% of the trees removed at six (6) inches or greater in diameter, if removal is necessary, shall be required.

Pfost emphasized this special committee effort is for the public benefit on behalf of tree preservation.

Ervine said this initial effort isn’t perfect but it is a first try at getting something definitive on paper for consideration. Enforcement will be the problem, but the committee tried for balance.

Eade observed it is very comprehensive but not overly regulatory.

Pfost asked Martin for the next step in getting the Tree Preservation Committee’s report approved.

Martin said the next step is to schedule a Public Hearing at the next meeting of the Planning Commission. It could have modifications following public input and discussion. It will then go to the Township Board for review and approval.

Pfost asked for a motion to send the report back to staff to request a Public Hearing for the next agenda. We can look at it again then hold a Public Hearing, then send our recommendations to the Township Board.
Ransford suggested merging residential with the commercial and industrial development in the language since there is only one difference, as recommended by Commissioner Kleinjans. Tree stands are usually not involved in commercial development. All agreed.

All supported including the road artery of 152nd from Butternut Drive to Ottawa Beach Road for roadway identification.

Eade moved, supported by Ervine, to direct staff to revise the language as discussed and advance the proposed Chapter for a Public Hearing at the next meeting.

**Voice Vote:**

Ayes 5, Nays 0. Motion carried.

**C. Master Plan Map**

Ransford introduced this item. As follow up to the Planning Commission’s request of staff to identify parcels identified in the Public/Open Space Classification (POSC) of the Park Township Master Plan, 47 have been inventoried for review. Ransford noted the inventory includes the Future Land Use Map with numerical markings for convenience of reference.

The rare exception to this inventory will be the identified Ottawa Beach Neighborhood properties.

He said he could print a large map of the public entities on the list that he submitted for the Planning Commission to review to enable continued discussion.

Pfost recommended a review of what these should be. Administrative connections need to be made. What is the underlying zoning for some of the areas? Could staff define private property vs. public entity?

Pfost asked if the Planning Commission should consider an amendment to the Master Plan regarding a plan and zoning requirements. He asked if the staff can put this list into a better format. Should we look at resort commercial areas to see if it should be R-3.

Pfost asked if we need a motion. Martin advised a motion would be appropriate.

Pfost noted we are changing future land use not zoning.

Ransford said open space should be more clearly referenced in the zoning plan.

Ervine moved, supported by Kleinjans, to request Ransford to prepare a revised map of the public and open space properties for consideration of an amendment to the Master Plan map.
Voice Vote:

Ayes 5, Nays 0. Motion carried.

PUBLIC COMMENT

Pfost opened Public Comment at 8:10 P.M.

There was no comment.

Pfost closed Public Comment at 8:10 P.M.

ANNOUNCEMENTS

1. Laketown Township Master Plan Comment Period

Ransford said his firm wrote the proposed Laketown Township Master Plan and discussed the minimal impacts on Park Township. There is a potential change in resort commercial language for the Eldean property on South Shore Drive. They may consider language to allow resort commercial zoning for this area.

There may be zoning language to allow greater density for the northern approximate third of the Township.

Eade said the high water level could create concern for the zoning ordinance. He mentioned the Eldean request of the Zoning Board of Appeals regarding raising the surface of their parking lot. A new covering will require a variance. This property owner’s improvements impacts other owners regarding water flow into residential areas in this part of South Shore Drive. This is a potentially serious issue.

There will be a joint meeting on March 26, 2020 for the Township Board, Planning Commission, and the Zoning Board of Appeals to discuss affordable housing in the Township.

The next Planning Commission meeting date is April 8, 2020.

ADJOURNMENT

Garlinghouse moved, supported by Ervine, to adjourn the Regular Meeting at 8:25 P.M.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

Respectfully submitted,

Judith R. Hemwall
Recording Secretary
March 13, 2020
MEMORANDUM

To: Park Township Planning Commission
From: Gregory L. Ransford, MPA
Date: May 5, 2020
Re: Anchorage Marine Planned Unit Development Major Amendment – Preliminary Development Plan – Revised

Pursuant to your direction at your February 12, 2020 meeting, attached is a revised Planned Unit Development (PUD) application for major amendment to the Anchorage Marine PUD located at 1821 Ottawa Beach Road. As you know, the Anchorage Marine PUD was originally approved in 1985, which pre-dates the current PUD language within the Park Township Zoning Ordinance (PTZO). Anchorage Marine seeks Preliminary PUD Development Plan approval for six (6) single-family residential condominium units within the second floor of the existing building, as well as within a new third floor. Your February 12, 2020 direction included the following:

1. Density – confirm with staff that the density calculations meet the PTZO
2. Pocket Park Pavers – provide detail of the pavers as well as a 3-dimensional view of the park
3. Off-season Boat Storage – provide/show clarity that no conflict exists for access within the site as a result of the outdoor boat storage, parking spaces, dumpsters, and etcetera
4. Consent Signatures – acquire consent from the two other property owners involved in the PUD
5. Open Space and Maintenance Agreement – provide a draft compliant with the PTZO
6. Wheel stops – show wheel stops at the northwest parking spaces
7. Exterior Light Fixtures – provide details for the existing and proposed fixtures as well as photometrics. Any existing fixtures that are open shall be replaced.
8. OCWRC – provide acknowledgement from the Ottawa County Water Resource Commissioner’s office of preliminary plan review

Following our review of the revised plans, we believe your direction is generally satisfied. In particular, we note the following that requires clarification or revision prior to your final plan review:

1. Off-season Boat Storage – we have included an aerial photo showing recent boat storage, which depicts the limits of storage identified by the applicant in red on the revised site plan, as well as the area where boat storage will no longer occur within a red circle and an “X.” We have sent the same to the applicant questioning their intent, albeit this appears consistent with full access around the building required by the Fire Department. As of the date of this memorandum, we did not receive a response. We believe the Planning Commission should clarify their intent.
2. Consent Signatures – according to the Township Legal Counsel, Mr. Dan Martin, the consent document of the Anchorage Marina Condominium Association President should include a printed name so it is clear who is represented.
3. Open Space and Maintenance Agreement – while we believe the general provisions of the draft Open Space and Maintenance Agreement comply with the PTZO requirements, it appears that the document excludes the northerly open space identified in green on Sheet C-101 of the site plan. This will need to be revised accordingly. Further, the Township Legal Counsel is also reviewing the document since it is drafted between the applicant and the Township.


**Planning Commission Action**

Pursuant to Section 38-373(5) – Procedures of the PTZO, the Planning Commission is tasked with reviewing the Preliminary Development Plan and providing recommendations to the applicant regarding the PUD, with any changes or modifications thereof. Following, the Planning Commission shall either direct the applicant to return with a revised Preliminary PUD Development Plan or return with a Final PUD Development Plan.

**Township Department Reviews**

*Fire Department*

While the Park Township Fire Department has reviewed the proposed plans and found the building construction to be satisfactory, the Department indicated the following regarding access:

> It should be added in the PUD requirements that the Fire Department has full access around the building all year around. (per code)

For the convenience of the Planning Commission and the applicant, we have asked the Fire Department for clarity regarding access including a copy of the code. As of the date of this memorandum, we did not receive a response. We will transmit our requested information to you once it is received.

**Planning Commission Considerations and Recommendation**

*Considerations*

As the Planning Commission deliberates regarding this application, we believe the following warrant your review and consideration. They are listed in no particular order.

- Off-season boat storage clarity
- Fire Department access around the building
- Finalization of the Open Space and Maintenance Agreement

*Recommendation*

Pending your review of our considerations above, we believe direction to the applicant to address and fulfill said considerations and return with a Final PUD Development Plan is appropriate.

The application has been scheduled for your review at your May 13, 2020 meeting. We expect the applicant to be in attendance. If you have any questions, please let us know.

GLR
Planner

Attachments

cc: Howard Fink, Manager
Tracy Hutchinson, Driesenga & Associates, Inc.
May 1, 2020

Mr. Gregory Ransford
Township Planner
PARK TOWNSHIP
52 - 152nd Ave
Holland, Michigan 49424

Re: 1821 W. Ottawa Beach Road
Anchorage Marine Service PUD Amendment (Boat Yard Lofts)
Review Comments response #4

Dear Mr. Ransford:

Anchorage Marine Service requests amendment of their existing Planned Unit Development (PUD). The requested amendment would add residential use to the existing mixed use PUD. The proposed residential use would consist of six (6) condominium units constructed above the existing office/retail space at the front of the existing primary building. The existing marine storage use would remain as is in the rear portion of the building.

The following are a response to the Review Comments provided by the Township on October 26, 2019, December 27, 2019, December 31, 2019, and January 25, 2020.

General Comments:

Site Acreage:
According to the documents reviewed by our surveyor department, the property owned by Jeff Cavanagh does not include the Exceptions shown; Exception No. 1 and No. 2 to obtain the acreage of 5.96 acres. When adding Exception No. 1 (0.40 acres) and Exception No. 2 (0.25 acres), the site gross total is 6.61 acres.

Reciprocal Easement for access east and west of the site were considered, but were not proposed due to MDNR use to the west and the regulated wetland/drain to the east.

Lighting details have been provided in today’s materials.

Dumpsters have been updated.

Pocket Park pavers are yet to be shown on architectural plans.

Elevations and garage facades are on architectural plans.
Mechanical Equipment, for HVAC, will be roof mounted and screened. Screening method to be finalized with architectural in final PUD submission.

Division 8- PUD

Section 38-366 – Development Requirements; All Uses, Criteria Response
- Green Space; See revised Narrative Letter
- Side Yard Setback; See revised Narrative Letter
- Building Height; See revised Narrative Letter

Section 38-367 – Development Requirements for PUDs with residential:
38-367(2) Density Calculations, 3 units permitted, base density, additional units with bonus. See Density Spreadsheet for calculations.

(3) Bonus density is requested based on the proposed project incorporating significant natural features and preserving significant unique open space. The wetland portion of the property compromises 3.01 acres of the property, over 50% of the total land. The undeveloped 3.01 acres translates in to additional allowed density of 6 units.

The undeveloped wetland provides public benefit opportunities. As the undeveloped wetland is a part of the adjoining Winstrom Park, with a deck and scenic overlook viewing this wetland.

The undeveloped land serves also as an important environmental feature. The wetlands are part of the Park West Drain and serve as a filter protecting local water quality, removing sediment and pollutants before entering the larger water bodies of Lake Macatawa and Lake Michigan. The wetlands have been noted for capturing sediment and preventing deposition into Lake Macatawa.

Beyond the open space previously describe, additional Amenities for recreational facilities in the form of a pocket park are proposed. The pocket park is located in the southwest corner of the site adjacent to the pedestrian path. It is planned as an accessible surface with benches, a historical marker, and landscaping. It will serve as an aesthetically pleasing point of interest or resting point along the existing pedestrian path.

Additional units based on the overall property size of 6.31 acres @ 0.50 units per acre, equates to a total of twelve (12) units. Meanwhile this PUD plan is only a total of six (6), which is under the quantities described above.
Section 38-368 – Dedicated Opens Space (for Residential Use)
(a) For PUD with residential uses shall provide the minimum amount of open space in accordance to this article. Requirements are listed for proposed multi-family residential use, with the minimum requirement listed is 15%.
(b) The proposed site has undeveloped wetland property serving as open space. Per the ordinance, only 50% of the wetland may be considered open space. Half (50%) of 3.01 acres of wetland (minus setbacks), is 1.15 acres. While only 0.99 acres are needed to meet the 15% open space.

Section 38-370 – Dedicated Opens Space (for Nonresidential)
The proposed pocket park provides dedicated opens space serving as a civic amenity providing passive activity such as sitting while providing an object or area of interest with the historical marker.

C-2, Resort Services District
Section 38-453- Existing lights shown, proposed lights pending design, with intent to meet ordinance, materials are provided.
Section 38-455- Area Regulations, plans have been updated
Section 38-605 -Screening deviation discussed in Narrative letter.

Division 3, Site Plan
Section 38-102
Additional details and notes added to plans with updated topography.
Existing lights shown plus proposed lights, with intent to meet ordinance, materials provided.
Building materials demonstrated on architectural plans.
The overall height is 39’-8”, height from the road crown will be approximately 39’-4” to 40’-5” across the front of the site changing with the road grade.

Article VII – Parking and Loading
Section 38-601
General; Original 1981 Floor plans have been previously provided for parking calculations.
Section 38-605(1) Ten (10) foot wide Greenbelt is provided on North and East, See Narrative letter
Section 38-605, plans have been updated with parking bumpers
Existing lights shown plus proposed lights, with intent to meet ordinance, materials provided.
Section 38-605, Parking no closer than 10 feet to ROW, see narrative letter
Signage has been added on PUD drawing.

The PUD application package also includes materials previously provided on October 25, 2019 and December 20, 2019 and January 28, 2020 including; a signed application and proof of ownership. Please feel free to contact me at 616-396-0255 or tracyh@driesenga.com if you have any questions. Thank you.
Sincerely,

DRIESENGA & ASSOCIATES, INC.

[Signature]

Tracy Hutchinson, P.E.
Project Manager

cc: Jeff Cavanagh – Anchorage Marine
May 1, 2020

Mr. Gregory Ransford  
Township Manager  
PARK TOWNSHIP  
52 - 152\textsuperscript{nd} Ave  
Holland, Michigan 49424

Re: 1821 W. Ottawa Beach Road  
Anchorage Marine Service PUD Amendment (Boat Yard Lofts)  
Narrative Letter, Revision #4

Dear Mr. Ransford:

Anchorage Marine Service requests amendment of their existing Planned Unit Development (PUD). This letter is intended to serve as a Revised Narrative for the PUD Application. The requested amendment would add residential use to the existing mixed use PUD. The proposed residential use would consist of six (6) condominium units constructed above the existing office/retail space at the front of the existing primary building. The existing marine storage use would remain as is in the rear portion of the building.

The following shall address the narrative requirements:

\begin{enumerate}
\item \textit{The objectives of the PUD and how it relates to the intent of the PUD District as described in Section 38-363.}
\begin{enumerate}
\item To allow a mix of uses structures, facilities, housing types and open space that is compatible with existing and planned use on nearby properties.
\end{enumerate}
\end{enumerate}

The requested PUD amendment will add residential use to the existing commercial uses on-site. It adds more units of a popular housing type for the area. It combines the residential/resort/marina flavors of the immediate area.

1. \textit{To encourage land development that, ...preserves natural site features.}

Because the proposed residential units are not adding additional structural footprint, the proposed PUD amendment will not impact natural features of the area. The site has undisturbed wetland in the northeast that will remain,
and is immediately adjacent to a large wetland area to the east that is part of the Park West Drain District.

3. **To provide for the regulation of lawful and reasonable land uses not otherwise authorized in this chapter.**

   The proposed amended PUD is within the existing authorized land uses of the Ordinance and Master Plan.

4. **To provide for single or mixed-use developments which respect the goals and objectives of this chapter and the Park Township Master Plan.**

   The amended PUD request blends well into the goals and objectives of the Master Plan as described below, in item b.

5. **To encourage the provision of open space and the development of recreational and other support facilities in generally central locations or within a reasonable distance of all dwellings or uses.**

   With the limited land available, the proposed PUD has allotted space for a public historical marker. The marker would be in the southwest corner of the property as part of a pocket park and adjacent to the existing public recreational path.

6. **To implement the vision of the Park Township Master Plan in order to provide a high standard of quality of life, varied housing options, and richness of natural assets.**

   The amended PUD request blends well into the goals and objectives of the Master Plan as described below, in item b. The proposed PUD provides housing options tucked in to an existing vibrant area. The future residents can enjoy the bustle of the nearby marinas and the serenity of the adjacent wetlands.

b. **The relationship of the PUD to the Park Township Master Plan.**

   The site property is located in the North Beach Subarea with a Resort Commercial future land use designation in Park Township’s 2017 Master Plan (Master Plan). The proposed PUD, with the addition of residential units, fits well into the Master Plan.

   For the North Beach subarea, the Master Plan, notes on page 32: “As existing commercial uses are redeveloped or upgraded, their architectural design should reflect the residential and resort character of the area”
The proposed PUD will be a significant investment in the property, the residential expansion will spur a façade upgrade with the intention of creating a more resort-style residential expression.

For the future land use as Resort Commercial, the Master Plan, notes on page 49: “...architectural character should be appropriate to the resort character of the township, as well as the predominantly residential character along these corridors.”

Additionally noted in the North Beach concepts of Master Plan, page 57: Design Standards. Although an expansion of existing commercial uses is not anticipated in this area, many of the current businesses are aging and may soon need to be refurbished, or redeveloped. It will be important to ensure that the architectural character of the new or improved business structures continues to reflect the area’s historic beachfront charm.

The proposed PUD will be an opportunity for the owner to remodel the façade of a dated building constructed in the 1980s. The proposed façade will mirror nearby residential architecture with a residential Victorian feel.

c. Phases of development and approximate time frame for each phase.

The proposed addition of residential units and any related site work will be considered one phase of the project and will take approximately one year for completion.

d. Proposed deed restrictions, covenants, or similar legal instruments to be used within the PUD.

The proposed PUD amendment does not add deed restrictions, covenants, or similar legal instruments, at this time.

e. Anticipated start and completion of construction.

The anticipated start of construction is Fall of 2020 with substantial completion approximately by Spring 2021, and final completion by Fall 2021. The construction will be planned to avoid creating congestion during the peak summer season and minimize disruption to the existing commercial operations at the site.

f. Location, type, and size of areas to be dedicated open space.

Dedicated open space proposed, includes a historical marker at the southwest portion of the property. The historical marker will be located adjacent to the pedestrian/bike path in front of the property. The proposed area is approximately 937 square feet.
Dedicated open space is also available in the undeveloped wetland area. The site wetlands total 3.01 acres, with half of that value allowed to contribute (1.5 acres)

g. All proposed modifications from the zoning regulations which would otherwise be applicable to the uses and structures of the current zoning of the property in the absence of a PUD. The proposed modifications from the zoning regulations include;

a. PUD Open Space, 38-368
   Boat Yard Lofts has undeveloped land available to meet the provision for open space. The wetlands are 3.01 acres of space, minus setbacks, with half allowed to be considered open space of 1.15 acres. (see Density Calculations)

   The proposed open space of the pocket park is an additional 967 sft, (0.02 acres). With limited area for creation of open space, the proposed pocket park is placed at the southwest corner of the property. However the pocket park location does not meet the provisions of 38-368 (2&5) with regards to setbacks and utility easements. The pocket park is partially located inside buffer/greenspace areas of 38-368(9).

b. Building Height, 38-454
   Boat Yard Lofts requests a building height of approximately 40 feet in place of the allowed height of 35 feet. The increased height will allow for improved façade aesthetics and also be in-line with the easterly adjacent Anchorage Condominiums at 44 feet.

c. Building Setbacks, 25’ to Residential zoning, Section 38-455(2)
   The proposed PUD includes garages on the westerly property line with a zero setback. Other structures on the site abutting the same property line are constructed without a setback. The ownership and use of the westerly adjacent property is a public parking lot and not used for residential purposes. The proposed PUD is hopeful the same standards will apply to the proposed garages.

d. Green Space, Section 38-455(4)
   According to the Ordinance, green space of not less than 15 feet is required along each public street. Currently, at the southern property line, adjacent to the edge of the pavement, there is a green space of approximately 25 feet. The green space is bisected by the existing pedestrian/bicycle path. We believe this configuration meets the intent of the green space.

e. Screening, Section 38-605(1)
   The proposed PUD does not provide screening to the adjacent properties to the north, east, or west. The north screening was omitted due to the existing conditions being unchanged at the northern lot perimeter and due to the extensive wooded unbuildable buffer between the site property and the adjacent north property. The easterly screening was omitted due to being adjacent to the undeveloped heavily brushed regulated wetland and is several hundred feet to the next property. The
westerly screening was omitted due to the property use as a MDNR parking lot for overflow parking and boat trailers.

The proposed PUD does not provide a 10 foot greenbelt to the westerly zoned residential property. The adjacent property has a commercial/recreational use and existing site conditions do not allow for adjustment to fit with existing conditions.

f. Parking setback from ROW, Section 38-605(8)
The existing parking is less currently than 10’ from ROW, no changes are proposed in this area. The existing conditions are 6.5 feet the ROW.

g. Street Trees, Master Plan
The proposed trees are limited due to the limited green space available along the southern perimeter. A large portion of the existing green space, between the parking and the pedestrian path, is designated for storm water storage and cannot be filled with trees while maintain its function. Additionally, space in front is also owned by the utility authority for the lift station. Trees have been added to the proposed PUD to meet the intent of the Master Plan.

For Proof of Ownership, a deed has been provided by Mr. Jeff Cavanagh of Anchorage Marine Service. Additional owners of prior PUD have signed consent to modify.

The PUD application package also includes a PUD Development Plan drawing. Materials provided on October 25, 2019 and December 20, 2019 and January 28, 2020 included a signed application, application fee, financing letter, and proof of ownership. Please feel free to contact me at 616-396-0255 or tracyh@driesenga.com if you have any questions. Thank you.

Sincerely,

DRIESENGA & ASSOCIATES, INC.

Tracy Hutchinson, P.E.
Project Manager

closure

cc: Jeff Cavanagh – Anchorage Marine
25 October 2019

Members of the Park Township Planning Commission,

The purpose of this letter is to introduce you to a development to my property at Anchorage Marina that I have been contemplating for many years. When the Anchorage properties were developed in the 1980's, the concept of condominium boat slip ownership was very new and the 187 slips sold much faster than anticipated. The two residential condominium projects that followed across the street from the Marina and to the east were also successful and made the north end of Big Bay an exciting place to be whether by boat or by car. I wish to construct six two story two bedroom residential condominiums above my existing six unit commercial strip mall.

My architect and engineer and I recently had a preliminary meeting with Township Manager Howard Fink and Township Planner Gregory Ransford and one thing that came up as a concern was parking. I want to be clear that we have no shortage of places to park cars especially during the summer season when there are actually people here. Being in the boat storage business our yard and buildings fill up in late October and empty out again in May. This works well as my tenants in the strip mall and my customers are only here during the summer season. We have not yet needed to but we also have the ability to park my employees and tenants cars out behind the main building or in one of our empty boat barns during season. The parking needed for six residential condominium units during season could be had by simply better policing the overflow parking that comes from the Sea Doo rental company across the street.

My goal with this proposed project is to update and rejuvenate the appearance of my boat yard property across the street and to the west of the marina and at the same time make better use of the dead space above the existing strip mall units. We can also build on the rich history of this area both architecturally and educationally. This bend in the road that follows the bay is where people would arrive by train before there was a road. My boat yard was a miniature golf course for tourists to pass the time when waiting for either the train to take them east or the horse drawn carriage to take them west to their hotel or cottage. Let’s celebrate this history with a pocket park and historical marker on my property next to the bike path and the new cross walk.

Respectfully Yours,

Jeff Cavanagh
ANCHORAGE MARINE 1825 Ottawa Beach Road Park Township Proj# 191782.1A October 21, 2019

PARKING Sect 38-601
Size 9 20 ? ft lane Setback; 10’ to ROW

Number of Parking Space:
Main Building: 28560 ft²
- Warehouse/Marine Section 24000 ft²
- Front/Offices/Café 4560 ft²

Second Building: 12876 ft² *Storage only for Anch Marine Services

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Section 38-367, 2a
2a Main Acreage 5.96 acres
2a Exception #1 0.40
2a Exception #2 0.25
2a Gross Area 6.61 acres, gross

2b Wetland 3.01 acres

Section 38-367, 2d
2d Main Building 28,650 0.66 acres
2d Building 1 in Ex 2 10,800 0.25
2d Building 2 12,876 0.30
2d Pavement 21,000 0.48
2d Pavement in Ex1 14,000 0.32

Minus 87,326 2.00 acres

2d:
Res credit, condos floor space 4,560 0.10
Res credit, garages 440 0.01
Res credit, parking, 12 sp 2,160 0.05
Residential Credit, Total 7,160 0.16 acres

Section 38-367, 2e
Net Buildable Acreage 1.76 acres, net

2f Base Density

acres per unit 0.5 2 units/acre
3.52 units
3.00 Units, base

Bonus Units, Max
6.61 acres, gross
2 units/acre for C2
13.22 units
13 Units, Max allowed
6 Units, requested

Open Space, 38-368
Wetland as open space

Wetland, gross 3.01 acres
Setback/buffer West, 100x25 -2500.00 -0.06
Setback/buffer North, 575 x 25 -14375.00 -0.33
Setback/buffer East -13750.00 -0.32
Wetland (net) minus setbacks, etc 2.31 acres
allowed 50% 50% 1.15 acres

Req'd Open Space, total
6.61 acres 15% 0.99 acres req'd 0.99 acres
Provided open space > required open space, Good
Good morning, Tracy:

Having reviewed your submittal for the Boat Yard Lofts at Anchorage Marina, we have the following comments:

1. Additional water quality measures should be provided. While the pavers and SWQU are commendable, we would like to see a small, demonstrable infiltration area where the pocket park is located or at some other visible location.
2. The sizes of the proposed storm sewer and underdrain should be provided. If the water table level permits, consideration should be given to placing perforated underdrain to promote infiltration.

Please let me know if you have any questions.

Dennis R. Cole, PE, LEED® AP
Civil Engineer | County of Ottawa | Office of the Water Resources Commissioner
12220 Fillmore | Room 141 | West Olive, MI 49460
dcole@miottawa.org | d 616.994.4523 | f 616.994.4529
www.miottawa.org/Departments/Drain/

From: Tracy Hutchinson <tracyh@driesenga.com>
Sent: Thursday, March 19, 2020 1:04 PM
To: Dennis Cole <dcole@miottawa.org>
Cc: Water Resources Commissioner <waterresourcescommissioner@miottawa.org>
Subject: RE: Anchorage Marine - PUD

Caution! This email is from an external address and contains a link. Use caution when following links as they could open malicious web sites.

Dennis,

A short summary on the project; it includes adding residential condominium space on the second and third floor of the existing building, replacing existing HMA pavement with pavers for a pocket park, and replacing HMA pavement with garages, improving the westerly drive approach. No additional impervious surface is being added. A small area of pavement is being removed to improve the westerly driveway approach as shown on plans and in calculations.

Please find the attached digital files for the Boat Yard Lofts at Anchorage Marine Condo PUD project.

Included:
- Application
- Plans
- Calculations
- Details on the Storm Water Quality Unit

We will follow up with an application fee in the mail. Please let us know if you need paper copies with the check, and what size you would prefer. (full size 24x36, or reduced to 11x17)

Would it be possible to obtain a review letter by March 29th? That way it is in hand for the Park Township Board
Hi Tracy,

From what I can see, this particular project could be accepted by us with a Minimal Impact Approval letter. Please provide an application, plans, calcs and details of the proposed Storm Water Quality Unit along with a check for $100 for our Administrative Approval. Let me know if you have any questions.

Dennis R. Cole, PE, LEED® AP  
Civil Engineer | County of Ottawa | Office of the Water Resources Commissioner  
12220 Fillmore | Room 141 | West Olive, MI 49460  
dcole@miottawa.org | d 616.994.4523 | f 616.994.4529  
www.miottawa.org/Departments/Drain/

Dennis,

We have a project that is updating their PUD to add residential space in the existing building. We have limited change to the site impervious, with a likely reduction due to making a smaller westerly drive approach. Please let me know what steps are necessary for OCWRC approval or a letter of review for the Township Planning Commission.?? Thank you.

Thank!

Tracy Hutchinson, P.E. | Civil Project Manager  
Driesenga & Associates, Inc.  
12330 James Street, Suite H80, Holland, MI 49424
"Conceive it... Believe it... Achieve it!"
EASEMENT AGREEMENT

This Easement Agreement is entered into effective on _____________, by and between ANCHORAGE BOAT YARD, INC., a Michigan corporation, of 1821 Ottawa Beach Road, Holland, Michigan 49424 ("Anchorage"), and the CHARTER TOWNSHIP OF HOLLAND, a Michigan governmental charter township, of 353 North 120th Avenue, PO Box 8127, Holland, Michigan 49422-8127 (the "Township"), with respect to the following facts and circumstances:

A. Anchorage is the owner of certain real property located at 1821 Ottawa Beach Road in Park Township, Ottawa County, Michigan, which is more fully described on the attached Exhibit A (hereinafter referred to as the "Anchorage Property").

B. The Township is the owner of certain adjoining real property located on Ottawa Beach Road in Park Township, Ottawa County, Michigan, which is more fully described on the attached Exhibit B (hereinafter referred to as the "Township Property").

C. A sanitary sewer lift station is located on the Township Property. The parties desire to enter into this agreement to provide the Township with a fourteen foot (14’) wide non-exclusive easement for ingress and egress across the adjacent parking lot and entrance drive owned by Anchorage to allow the Township easier access to the lift station for maintenance and repair.

The parties, therefore, each in consideration of the acts and promises of the other, agree as follows:

Section 1. Grant of Utility Easement. Anchorage grants to the Township for the benefit of the Township Property a fourteen foot (14’) wide non-exclusive easement for ingress and egress across a portion of the Anchorage Property, which is more fully described on the attached Exhibit C ("Easement"). The Easement benefits the Township Property and burdens the Anchorage Property. The Township is authorized to enter upon the Easement at such times as may be reasonably necessary to inspect, maintain, repair, and replace its utility lift station that is located on the Township Property.

Section 2. Damages. If Anchorage’s parking lot or entrance drive is damaged by the TOWNSHIP’s use of the Easement, then the Township shall repair the damage and restore the driveway and parking lot improvements on the Easement to the condition it was in prior to being damaged.
Section 3. **Indemnification.** The Township agrees to fully indemnify, save, and keep harmless Anchorage from any and all claims for damage to real and personal property and injuries and death suffered by persons in any manner caused by or growing out of or in any way connected with the repair, maintenance, or replacement of the lift station, or the presence of the TOWNSHIP’s employees, guests, invitees, contractors, and agents upon the Easement. Anchorage agrees that it will not construct a building or structure on the Easement without first obtaining the written consent of the Township, which consent will not be unreasonably withheld, delayed or conditioned.

Section 4. **Consideration.** For the privileges provided in this agreement, the parties acknowledge that the consideration is the mutual rights and benefits to the parties resulting from the use and location of the utility improvements.

Section 5. **Taxes.** Each of the parties shall pay all taxes, charges, liens, and assessments, if any, against their respective real property as described above.

Section 6. **Confirmation of Title.** The parties agree that each shall be deemed the respective owner of the real property that is described in this agreement as being owned by them. Neither party shall make any ownership claim against the other party’s real property by virtue of this agreement or by virtue of the location or use of the Easement.

Section 7. **Runs With the Land.** The Easement granted hereunder shall run with the land and shall inure to the benefit of and be binding upon and enforceable by the parties’ successors and assigns.

Section 8. **Miscellaneous.** This document contains the entire agreement between the parties and supersedes any prior understandings or agreements between them respecting the subject matter hereof. No changes, additions, or qualifications to the terms of this agreement shall be made or be binding unless made in writing and signed by the parties or their successors and assigns. In the event any of the provisions of this agreement are determined to be illegal or unenforceable, the remaining provisions hereof shall nevertheless be binding with the same force and effect as if the illegal or unenforceable parts were deleted. This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Agreement and all of which, when taken together, will be deemed to constitute one and the same agreement. This agreement shall be subject to and governed by the laws of the State of Michigan.

Section 9. **Transfer Tax.** This instrument is exempt from taxation pursuant to Section 5(a) of Act No. 134 of the Public Acts of 1966, as amended, being MCL § 207.505(a), and Section 6(a) of Act No. 330 of the Public Acts of 1993, being MCL § 207.526(a), because the value of the consideration is less than $100.
The parties have signed duplicate counterparts of this agreement effective on the date first written above.

ANCHORAGE BOAT YARD, INC.

By: ____________________________
   G. Jefferson Cavanagh, President

STATE OF MICHIGAN )
   ) ss.
COUNTY OF OTTAWA )

The foregoing was acknowledged before me on __________ ___, 2020, by G. JEFFERSON CAVANAGH, as President and on behalf of ANCHORAGE BOAT YARD, INC., a Michigan corporation.

______________________________
Notary Public
Ottawa County, Michigan
My Commission Expires:
Acting in Ottawa County, Michigan
CHARTER TOWNSHIP OF HOLLAND

By: __________________________

Its: __________________________

STATE OF MICHIGAN )
COUNTY OF OTTAWA ) ss.

The foregoing instrument was acknowledged before me on _____________, 2020, by ____________, as the ______________ and on behalf of the CHARTER TOWNSHIP OF HOLLAND.

Prepared by and Return to: __________________________
Douglas R. MacDonald 
Buckman MacDonald & Brown PC 
217 East 24th Street, Suite 201 
Holland, Michigan 49423 
(616) 394-4276

Notary Public
Ottawa County, Michigan
My Commission Expires:
Acting in Ottawa County, Michigan
Note: The tax parcel number listed below is provided solely for informational purposes, without warranty as to accuracy or completeness. If the information listed below is inconsistent in any way with the legal description listed above, the legal description listed above shall control.

PP# 70-
Commonly known as ___ Ottawa Beach Road, Holland, Michigan 49424
Note: The tax parcel number listed below is provided solely for informational purposes, without warranty as to accuracy or completeness. If the information listed below is inconsistent in any way with the legal description listed above, the legal description listed above shall control.

PP# 70-
Commonly knowns as _____ Ottawa Beach Road, Holland, Michigan 49424
The easement area also is depicted on the attached survey drawing.
OPEN SPACE PRESERVATION AND MAINTENANCE AGREEMENT

This Open Space Preservation And Maintenance Agreement is entered into effective on ______________, by and between ANCHORAGE BOAT YARD, INC., a Michigan corporation, of 1821 Ottawa Beach Road, Holland, Michigan 49424 ("Anchorage"), and the TOWNSHIP OF PARK, a Michigan governmental township, of 51 -152nd Avenue, Holland, Michigan 49424 (the "Township"), with respect to the following facts and circumstances:

A. Anchorage is the owner of certain real property located at 1821 Ottawa Beach Road in Park Township, Ottawa County, Michigan, which is more fully described on the attached Exhibit A (hereinafter referred to as the "Anchorage Property").

B. Anchorage is processing an amendment to the planned unit development for the Anchorage Property in order to create six residential condominium units as a third-floor addition to one of the existing buildings. The balance of the Anchorage Property also will be converted to condominium form of ownership, which will consist of mixed used condominium units for boat storage and maintenance, retail, and office uses. The condominium project will be known as the Boat Yard Lofts.

C. Anchorage has agreed to dedicate a portion of the Anchorage Property as open space for use as a public park, and the area to be dedicated is more fully described and depicted as the “Pocket Park” on the attached Exhibit B.

The parties, therefore, each in consideration of the acts and promises of the other, agree as follows:

Section 1. Dedication as Open Space. Anchorage hereby dedicates the Pocket Park consisting of approximately 967 square feet of area as permanent open space for use as a public park containing park benches for seating, stone pavers, a historical marker, and two hardwood trees or other landscaping. The open space will be available for use as a public seating and rest area along the adjacent bike path adjoining Ottawa Beach Road.

Section 2. Maintenance. Anchorage agrees that the Pocket Park shall be maintained in good condition and repair with the amenities as approved by the Township in the amendment dated ___________, 2020, to Anchorage’s PUD. Maintenance obligations shall include the following:
Section 3. Condominium Obligations. Upon recording of the Master Deed for the Boat Yard Lofts, the Pocket Park will be dedicated as a general common element of the condominium and open to the public for use as a public park and seating area, and the Boat Yard Lofts Condominium Association will be required to assume and perform all obligations for maintenance of the Pocket Park as required by this agreement.

Section 4. Township Rights to Maintain. Maintenance may be undertaken by the Township in the event that the Pocket Park is inadequately maintained or is determined by the Township to be a public nuisance. Any costs incurred by the Township in providing maintenance, including, but not limited to, all costs of labor (wages and benefits), materials, equipment, and administrative costs, shall be proportionately assessed to the co-owners of the condominium units within the Boat Yard Lofts Condominium and that any unpaid assessment will become a lien against the individual condominium units. The Township agrees to provide 30 days advance notice to the Boat Yard Lofts Condominium Association and the individual unit owners prior to undertaking any maintenance activities.

Section 5. Consideration. For the privileges provided in this agreement, the parties acknowledge that the consideration is the mutual rights and benefits to the parties resulting from the use and location of the Pocket Park.

Section 6. Confirmation of Title. The parties agree that Anchorage, and its successors and assigns, including the Boat Yard Lofts Condominium Association to be established, shall remain the owner of the real property contained in the Pocket Park subject to the terms and conditions of this agreement.

Section 7. Runs With the Land. The obligations created hereunder shall run with the land and shall inure to the benefit of and be binding upon and enforceable by the parties’ successors and assigns.

Section 8. Miscellaneous. This document contains the entire agreement between the parties and supersedes any prior understandings or agreements between them respecting the subject matter hereof. No changes, additions, or qualifications to the terms of this agreement shall be made or be binding unless made in writing and signed by the parties or their successors and assigns. In the event any of the provisions of this agreement are determined to be illegal or unenforceable, the remaining provisions hereof shall nevertheless be binding with the same force and effect as if the illegal or unenforceable parts were deleted. This Agreement may be executed in one or more
counterparts, each of which will be deemed to be an original copy of this Agreement and all of which, when taken together, will be deemed to constitute one and the same agreement. This agreement shall be subject to and governed by the laws of the State of Michigan.

Section 9. Transfer Tax. This instrument is exempt from taxation pursuant to Section 5(a) of Act No. 134 of the Public Acts of 1966, as amended, being MCL § 207.505(a), and Section 6(a) of Act No. 330 of the Public Acts of 1993, being MCL § 207.526(a), because the value of the consideration is less than $100.

The parties have signed duplicate counterparts of this agreement effective on the date first written above.

ANCHORAGE BOAT YARD, INC.

By: __________________________
   G. Jefferson Cavanagh, President

STATE OF MICHIGAN )
 ) ss.
COUNTY OF OTTAWA )

The foregoing was acknowledged before me on __________ ___, 2020, by G. JEFFERSON CAVANAGH, as President and on behalf of ANCHORAGE BOAT YARD, INC., a Michigan corporation.

_____________________________________
Notary Public
Ottawa County, Michigan
My Commission Expires:
Acting in Ottawa County, Michigan
TOWNSHIP OF PARK

By:____________________________

Its:__________________________

STATE OF MICHIGAN )
 ) ss.
COUNTY OF OTTAWA )

The foregoing instrument was acknowledged before me on _____________, 2020,
by ____________, as the ______________ and on behalf of the TOWNSHIP OF PARK.

Prepared by and Return to:    __________________________
Douglas R. MacDonald
Buckman MacDonald & Brown PC   Notary Public
217 East 24th Street, Suite 201   Ottawa County, Michigan
Holland, Michigan 49423   My Commission Expires:
(616) 394-4276     Acting in Ottawa County, Michigan
Note: The tax parcel number listed below is provided solely for informational purposes, without warranty as to accuracy or completeness. If the information listed below is inconsistent in any way with the legal description listed above, the legal description listed above shall control.

PP# 70-
Commonly known as ___ Ottawa Beach Road, Holland, Michigan 49424
Note: The tax parcel number listed below is provided solely for informational purposes, without warranty as to accuracy or completeness. If the information listed below is inconsistent in any way with the legal description listed above, the legal description listed above shall control.

Part of PP# 70-
Commonly knowns as _____ Ottawa Beach Road, Holland, Michigan 49424

The Pocket Park also is depicted on the attached survey drawing.
CONSENT TO PUD AMENDMENT

ANCHORAGE MARINA CONDOMINIUM ASSOCIATION, a Michigan non-profit corporation, of 1800 Ottawa Beach Road, Holland, Michigan 49424, hereby consents to the amendment of the PUD plan requested by ANCHORAGE BOAT YARD, INC. to allow for the construction of six residential condominium units located on the second floor and a new third floor of the existing office and retail building located at 1821 Ottawa Beach Road, Holland, Michigan 49424.

Dated: March 16, 2020

ANCHORAGE MARINA CONDOMINIUM ASSOCIATION

By: [Signature]

Its: [Signature]
CONSENT TO PUD AMENDMENT

Anchorage Boat Barn Condominium Association, a Michigan nonprofit corporation, of 42 East Lakewood Blvd, Holland, Michigan 49424 (“Boat Barn Association”), hereby consents to the amendment of the PUD plan requested by Anchorage Boat Yard, Inc., to allow for the construction of six residential condominium units located on the second floor and a new third floor of the existing office and retail building located at 1821 Ottawa Beach Road, Holland, Michigan 49424.

The proposed PUD Amendment and construction of the new residential units and related parking garage as shown in the proposed plan would encroach upon the Boat Barn Association’s access across the PUD via an existing ingress and egress easement (the “Easement”). This consent is contingent upon the Easement being modified to the Boat Barn Association’s sole satisfaction prior to final PUD Approval being issued by the Township.

Dated: May 1, 2020

Anchorage Boat Barn Condominium Association

By: [Signature]
Phil Brewer
Its Director
THESE DRAWINGS MAY HAVE BEEN REPRODUCED AT A SCALE DIFFERENT THAN ORIGINALLY DRAWN. OWNER AND ARCHITECT ASSUME NO RESPONSIBILITY FOR USE OF INCORRECT SCALE.

CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES OR CONFLICTS. DO NOT SCALE DRAWINGS.

DATE: SHEET NO: ISSUE FOR:

ALL DOCUMENTS UNDER THIS STAMP BEAR THE SAME ISSUE DATE AS THE SEALED COPY.

I HEREBY CERTIFY THAT THESE DRAWINGS WERE PREPARED UNDER MY DIRECTION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, CONFORM TO THE APPLICABLE CODES AND ORDINANCES.

_____________________________________________________
J. ANDREW BAER                                                        DATE

LICENSE EXPIRES                                                          10-31-2020

SHEET NUMBER: THIS SEAL APPLIES TO THE FOLLOWING DOCUMENTS XX THRU XX

J. ANDREW BAER
222 SOUTH RIVER AVE.
HOLLAND, MI 49423
ARCHITECT
(616) 395-8235

ANCHORAGE MARINA
Condominiums
CONCEPT PLANS/GARAGE

MAIN LEVEL
UPPER FLOOR
GARAGE
POCKET PARK
END WALL
FRONT (EAST) ELEVATION
Know what's below before you dig.

Call RX SITE LOCATION

ANCHORAGE MARINE SERVICES
BOAT YARD LOFTS
1825 OTTAWA BEACH ROAD
SECTION 27, T05N, R16W
HOLLAND, MICHIGAN 49424

SHEET INDEX
Q-001 TITLE SHEET
V-101 SKETCH OF PARCEL
V-102 EXISTING CONDITIONS
CD-101 CIVIL DEMOLITION PLAN
C-101 SITE PLAN
C-102 UTILITIES PLAN
C-501 DETAILS
Know what's below before you dig.

Call R BM #1
Know what's below before you dig. Call BM #1.
Know what's below. Call before you dig.

Utility Notes:

1. Existing underground utility locations are approximate and subject to change. Conformance to conditions and utilities in appropriate records is required.

2. Right-of-Way above shows approximate utility locations in appropriate records. Conformance to appropriate records is required.

3. Existing underground utility locations are approximate and subject to change. Conformance to conditions and utilities in appropriate records is required.

4. Existing underground utility locations are approximate and subject to change. Conformance to conditions and utilities in appropriate records is required.

5. Existing underground utility locations are approximate and subject to change. Conformance to conditions and utilities in appropriate records is required.

6. Existing underground utility locations are approximate and subject to change. Conformance to conditions and utilities in appropriate records is required.
Know what's below before you dig. Call R RESERVED PARKING ONLY VAN ACCESSIBLE.
MEMORANDUM

To: Park Township Planning Commission
From: Gregory L. Ransford, MPA
Date: May 5, 2020
Re: Ottawa Beach NHP Discussion

Pursuant to your previous direction during the winter months, Chairperson Pfost and staff were authorized to coordinate a May or June meeting to schedule the public hearing necessary for the draft overlay text of Ottawa Beach. Given the COVID-19 pandemic, Chairperson Pfost has delayed this action and placed the Ottawa Beach matter on your May 13, 2020 agenda for discussion only. In particular, given the pandemic, Chairperson Pfost felt it was appropriate to assess how to move forward with a meeting date in this regard. Consequently, no language accompanies this memorandum and no public hearing is scheduled during this discussion.

If you have any questions, please let us know.

GLR
Planner

cc: Howard Fink, Manager