

CENTERVILLE TOWNSHIP PLANNING COMMISSION

Monday, October 2, 2023 7:00PM

Centerville Township Hall

Tim Johnson Chair, Lindy Kellogg, Vice-Chair

Joe Mosher Secretary; Dan Hubbell Board representative, Mary Beeker

DRAFT MINUTES

Call to Order: Tim Johnson, Chair, called the meeting to order at **6:33 PM**

Attendance: Tim Johnson Chair, Lindy Kellogg, Joe Mosher, Secretary; Dan Hubbell, Mary Beeker, Chris Grobbel Planner

- **Staff present:** Recording secretary Patricia Ray
- **Approved absence: none**
- **Public attendance:** Jen Watkins, LLLA videographer, 21 additional

Introductions

I. Review Agenda

II. Public comment regarding the agenda--none

III. Revise/Approve Agenda—no additions

- **MOTION:** Hubbell moved to accept the agenda as presented; seconded by Mosher. Motion carried. Yeas: 5 Nays: 0

IV. Declaration of Conflict of Interest--none

V. Revise/Approve September 18, 2023 Special Meeting Minutes

- **CORRECTION:** Change Johnston to Johnson in 3 places.
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- **MOTION:** Hubbell moved to approve September 18, 2023 Special Meeting minutes as revised; seconded by Kellogg. Motion carried. Yeas: 5 Nays: 0

VI. Report from Township Board Representative—no report

VII. Report from ZBA Representative—no report

VIII. Zoning Administrator's Report—Tim Cypher sent report, available on website.

IX. Planning and Zoning Issues

- **Old Business**
 - Tim Johnson provided a summary and update of actions and activities undertaken, and an outline for plan forward **See attached outline.**
 - Chris Grobbel (CG) of Grobbel Environmental Planning Associates (**Centerville Township Planner**) reviewed the Planner's Report, presenting and explaining each evaluation and recommendation within the Findings of Fact (FoF) document (**attached**). He indicated that the FoF lays out the section of pertinent ordinances requiring review for this specific project. He noted that the FoF will change as this process of review proceeds and summarized the purpose of the FoF as a document that efficiently and comprehensively describes the relevant standards and findings for this particular application. The PC has the ability to agree with, add to, subtract from what the Planner is presenting relative to the FoF.
 - The Planning Commission listened to and discussed Grobbel's evaluation recommendations.
 - The Planning Commission achieved consensus and agreement with Grobbel's recommendations, except where noted. Where additional detail and explanation

was suggested by Grobbel of the applicant, the Commission provided specific language for the detail required, as noted below.

APPLICATION

- Information about boat slip number referenced in paragraph 3, and covered by the EGLE application HPR-59MH-CX6ZY is unclear; applicant must provide more information as to exactly what is being proposed for the 117 seasonal boat slips and the boat hoist.
- Applicant indicated in the meeting that the original EGLE application was made BEFORE the mediation cap at 82 boats was agreed upon and therefore the numbers with regard to boats and slips cited in the FOF are not consistent with the new site plan. Applicant stated that this will be made clear at the EGLE public review.

GENERAL FINDINGS OF FACT The Planner specifically noted that all necessary federal, state, county, permits must be presented and complied with by the applicant. With regard to PC discussions of the FoF document presented by the Planner, any provision or item therein that the majority of the PC agreed with the Planner are not further discussed in these minutes. Provisions or items that the PC determined needed additional input from the applicant are noted by number from original FoF document and include the following.

- CG requested that ALL site plan amendments be documented and dated by the applicant and be provided to the PC a minimum of 7 days before the next meeting.

SECTION 4.4—Schedule of Regulations

C. PC discussed and agreed that item C of Section 4.4 **does NOT** meet the ZO requirements and that additional information is needed in the amended site plan. Height of staff housing and cabanas must be specified in the amended site plan and that height of ALL structures must comply with maximum height requirements.

D. PC discussed and agreed that item D of Section 4.4 **does NOT** meet the ZO requirements. PC requests that the specific dimension of setback for structures, (e.g., shed at shoreline and waterfront playground) be included in the amended site plan. PC reiterated that all structures need to comply with the 40' setback limit.

H. PC discussed and agreed that item H of Section 4.4 **does NOT** meet the ZO requirements and additional information is needed in the amended site plan. The township ordinance does not define lot coverage, but limits it to 25% (or less) coverage in the Commercial Resort District. Coverage ordinarily includes any impervious surface such as paved roads, concrete, paths, rooftops, sidewalks, etc. CG recommends that all impervious, all graded, compacted surfaces, all surfaces that would generate stormwater (such as campsite, parking areas and gravel roads) and all similar structures should be included in the % lot coverage calculation. The applicant needs to provide additional detail in the application, consistent with township's above definition of coverage, and should state what percentage these surfaces and structures comprise in order to determine whether 25% limit has been achieved.

Section 3.7.C. - Signs

1. PC discussed agreed that item 1. of Section 3.7.C **does NOT** meet the ZO requirements. The current proposed sign is larger than the allowable limits of the standard which is 32 SF.

Section 3.18 Outdoor Lighting Ordinance - Section 3.18.2 Standards:

4. PC discussed and agreed that item 4. of Section 3.18, Standard 3.18.2 **does NOT** meet the ZO requirements and additional information is needed. Additional detail should be provided in the amended site plan as to whether there will be an auto shutoff of lights and at what time lights are to be shutoff relative to 11:30PM or campground closure must be given.
7. PC discussed and agreed that item 7. of Section 3.18, Standard 3.18.2 **does NOT** meet the ZO requirements and additional information is needed in the site plan. The pole height is currently not specified; height needs to be less than 22' and specifically stated in the amended site plan.
8. PC discussed and agreed that item 8. of Section 3.18, Standard 3.18.2 **does NOT** meet the ZO requirements and additional information is needed in the amended site plan, including lighting fixtures and illumination schedules, as well as fixtures and illumination schedules required for health and safety/emergency purposes. Additional detail as to whether there will be an auto shutoff of lights and at what time lights are to be shutoff must also be given.

Article 13, Section 13.1: Requirements for Site Plan - Application for Site Plan Review

- CG noted that the site plan submitted is substantially met and administratively complete. However, CG asked the PC to discuss whether they had any specific questions or items they wished to raise about the Site Plan Review list which consists of required elements of a Site Plan. Questions and comments from PC members and responses from CG are noted as bullets along with the pertinent plan item number below.
 - a. 14. Written statement relative to project impacts...
 - CG indicated that an impact statement had been provided addressing these specific infrastructure items. It was emphasized that the PC should go back and review the original impact statement submitted with the application. CG suggested that the PC must thoroughly review the impact statement to determine whether or not it is adequate.
 - PC is requesting that the applicant provide additional information that addresses:
 - wetlands,
 - water quality,
 - site treated water (e.g., pool water) management—frequency of pool water turnover, quantity of pool water discharge/turnover, and how and where pool water is to be disposed of throughout and at the close of the season
 - site capacity for managing catchment and containment of a 25 year rain event, to include information on how lagoon would be managed in such an event.
 - plan for managing of a 100 year stormwater event (7' of rain in 24 hrs): applicant to articulate plan for such an event. Applicant should consider including use of an innovative stormwater water management plan. An innovative stormwater system would NOT be included in the 25% lot coverage calculation.
 - shoreline impacts and shoreline hardening and how the new plan will impact/alter the nature of the shoreline —to include a breakdown of existing and proposed shoreline hardening data (applicant to provide linear feet of current shoreline that is hardened and indicate its location on the site plan as well as

linear feet of shoreline that is proposed to be hardened and its location on the site plan). Impact should also indicate the number of trees that are to be removed in the to-be-developed area of the waterfront.

- number of boats, boat impact on near shore environment, how boat number will be policed,
- stormwater impacts—both quality and quantity of stormwater and how it is to be disposed of,
- invasive species and management,
- boat-washing station details including how this is to be used, standards to be followed and how it will be managed.

- All of this information will be needed in order to evaluate the natural environment protection requirements of this section.

b. 4. Location and type of significant existing vegetation.

- PC noted that vegetation information was not provided in the new site plan and must be submitted in the amended site plan, including number of trees to be removed to make way for new structures. CG indicated that a landscape plan was submitted which noted location of vegetation, but PC must review landscape plan for adequacy. In terms of fundamentals of plan submission, CG noted that Northgate had substantially met that requirement.

6. Location of existing and proposed buildings ...

- PC noted that not all heights were provided in the new site plan and must be submitted in the amended site plan.

13. Location of water supply lines and/or wells, ...

- PC to carefully review details associated with this item for adequacy and amend site plan as appropriate.

15. Proposed location, dimensions and details of common open spaces...

- PC requests that applicant provide clarification/confirmation that, in addition to the agreed cap on additional boat slips, limiting boat slips to the existing 82 slips, there was also to be no off-shore mooring of additional boats, nor day-launching of boats in addition to or beyond the 82 boats in the resort slips.
- PC requests that dimensions and capacities for all water features and amenities, including swimming pools, be provided in the revised site plan.

Article 13, Section 13.1.G – Standards for Granting Site Plan Approval

- CG noted that the items in this section are the discretionary items associated with this specific plan that must be assessed and approved. Again, review of these items is preliminary at this point, not the final decision on these special use permit standards.

a. Each site plan shall conform to all applicable provisions of the Zoning Ordinance and the standards listed below:

1. All elements of the site plan shall be harmoniously ...

- CG indicated that potential future land uses of neighboring property must be considered in reviewing this particular item.

- PC finds that this standard requires additional detail. Please provide elevation drawings of the site from the perspective of the water, 100' offshore of the site. Perspective to include entire shoreline extending from boat launch and boat slips along to Rice Creek and should also include location of existing and anticipated new vegetation (trees as well as other types of vegetation).
5. The site plan shall provide reasonable, visual and sound privacy ...
- CG indicated that the plan (proposed verbally to him) relies on retention of existing vegetation as a perimeter buffer around entirety of project of varying widths and nothing new is to be added. Varying widths shown on the plan is consequence of retention of existing buffer elements, not addition of anything new.
 - CG finds that this standard has NOT been met, and additional information with specific detail about a perimeter buffer is required in order for PC to assess it. Impacts to be assessed would be noise and visual impacts to current and future adjacent land uses, including shoreline. Additional information desired would be dimensions of buffer –its depth, width, as well as composition (is it a berm, trees, shrubs, etc.) Applicant should include specifics about each of these that are to be incorporated in the plan.
 - PC would like applicant to provide additional information with regard to EVENTS that may be held at the property. Specifically, information related to added attractions to your guests that may include amplification of music, significant lighting, music that may be held at the water-side pavilion or the water front facility. Please define what such events may consist of (type of entertainment, DJ, themed party, other attraction amenities) and the schedule of such events for the season and the impact of such events to the community in terms of noise levels, traffic, etc. Applicant should define their vision for the property in terms of events and include how that vision will impact the neighboring community.
8. All loading and unloading areas and outside storage areas...
- PC finds that this standard **has NOT** been met; height of dumpster enclosure and any associated visual barrier needs to be specified.
12. Site plans shall fully conform to the driveway and traffic safety ...
- CG indicated that applicant had provided a traffic study, showing that standard has likely been met, but documentation also shows that there is substantial traffic during holiday periods at that intersection. CG recommends that PC carefully review traffic study, including several specific issues: left turn out of resort during peak periods and peak periods of traffic during holidays and how peak traffic would be impacted by no turning lanes.
 - PC to specifically review the safety elements of the study.
 - Applicant to provide interpretation and additional information of current traffic study, and how they plan to address safety issues highlighted in that study, including management of peak holiday traffic periods. Applicant should provide safety solutions that address root cause issues of safety problems highlighted.
15. Site plans shall fully conform to the requirements of the Michigan Department of Public Health and the District Health Department.
- CG indicated that a state campground permit/license, is currently not in hand, falls under Public Health code. That permit must be in hand before operation can begin, but will not be available prior to PC approval. Similarly, waste water lagoon(s) must be approved by EGLE and Health Department and permits acquired and complied with. So obtaining permit becomes part of PC conditional approval. If that permit isn't granted, applicant

will not be able to obtain land use permit to build. If applicant is in violation of a permit, township can revoke land use permit. If approval is granted, ongoing vigilance and compliance review is required.

- PC has not found any documentation from Health Department, indicating that existing or future planned lagoon is adequate. There is evidence in an email from the Health Department that indicates the current system is not adequate.

Section 13.1.H. Conditional Approvals

a. The Planning Commission may conditionally approve a site ...

2. PC finds that this standard has been conditionally met. Applicant to consider concept of a conservation easement.

- Applicant should demonstrate in their application how their plan ensures addressing items of the Conditional Approvals.

CONDITIONS

- CG indicated that he noted inputs for additional conditions from the public during tonight's meeting and will be adding those to the list of conditions below; subsequent versions of this list will reflect those inputs and will be longer.
- PC Chair requested from applicant what the best way for them to respond to the night's input. PC member suggested that applicant provide an executive summary of their inputs, referencing the specific item as follows: **Article 13, Section 13.1.G, item 5 note 2**. Applicant response should also include revision number and date, and sheet number on the revised site plan.

1. THAT this revised site plan caps...

- CG recommends that boat number cap, its impact on site plan, and any additional needed information. In addition, specificity around standards for boat wash need to be carefully considered and expected requirements for operation and monitoring articulated.

6. THAT maximum lot coverage...

- PC must decide, and articulate, specific details concerning lot coverage and whether standard has been met.

13. THAT as-built plans be provided...

- CG also recommends that PC get detailed information on all events that may be held: number, type, location to be held, etc. It is within PC purview to require specific detail on all aspects of events planned for this site. PC, as a condition of approval could ask for: limited number and types of events, times of day, cap of attendees. Log of event occurrence, emergency and safety plans are provided.
- CG also indicated that PC may wish to consider questions about or requirement for Conservation Easement about wetlands, shorelines and other sensitive areas.

PUBLIC COMMENT PERIOD – (additional notes were provided by Mary Beeker, PC member)

- Don Baty (also sent email)
 - "Special land use approval" means it must be in the best interest of the community as a whole. This definition should influence all of Committee's discretionary use decision-making.

- A marina is a nonconforming use in a CR; it is not a use by right or by special land use approval. Zoning ordinance 11.5 governs marina uses and expansion and states (in 11.5) that a marina shall not occupy greater area than was occupied before ordinance was originally created or amended.
- Based on EGLE application, citizen states that there appears to be a substantial increase in marina square footage for which, the citizen suggests, only the ZBA can provide a variance on; it is not within the PC's authority.
- Section 13.1 d (e) states that if a zoning variance is needed by ZBA, a PC cannot make a final ruling on a site plan; ZBA ruling must occur BEFORE the PC ruling can occur.
- Relative to process: citizen requests that additional information being requested of the applicant, be posted and made available to the public before public hearing
- Ann Baty
 - Expressed interest in what additional development will look like from the water and will it be consistent with the rural environment
- John Stoller
 - Requested more detail on lakeside swimming pools—nature, use, number, height, etc.
 - Stated that pools are not consistent with quiet of adjacent rural character of township
 - Structures and hardscape on shoreline is again inconsistent with environment and is an unpleasant view
 - Boat trailer parking lot for 80+ boats—an eyesore that at least, should be shielded and surrounding property buffered from it.
 - Boat wash station must have greater specificity as to type, how it is to be used, and use monitoring. Recommends installing a camera there and periodically sharing recorded footage with township for review for compliance; alternatively have an attendant
 - What sorts of events will they be having—noise, hours of operation of such things as pickleball, etc.
 - Boat management—PC should request detail on slip construction, moorings, boat anchoring. Paddleboats, paddle boards and rafts: how many, how stored
- Sharon Rudy
 - Supports idea of use an innovative stormwater system
 - Expressed concern about runoff from 100 yr rain as well as impact of substantial rainfalls on site sewage management.
- Linus Laskey
 - Asked whether there is a maximum number of campsites allowed for 72 acre site (acreage of the Northgate campground)?
 - Does 25% coverage calculation include wetlands as part of overall site acreage?
 - Motivation for these acreage-related questions has to do with long-term approach to managing this acreage. That is, in the future, will applicant come back again requesting more sites with threat of potential litigation if they are not granted at that time?
 - Use lumens to measure light level, not wattage
- Jim Weysor (LLA representative, reading from letter from their president)
 - LLA represents 500 households in Leelanau County, including in Centerville

- LLLA is opposed to any aspect of plan that could damage lake watershed and its water quality
- If a special use permit is issued, special protections must be included in the permit
- The following items are points of consideration for the PC:
 - How will PC ensure that increased boat activity won't impact lake and water quality?
 - Increased number of campers and expanded boat launch capacity may cause increased boat traffic beyond just the numbers associated with the boat slips –how will this be managed and limited?
 - How will we ensure that increased boat traffic doesn't increase number and type of invasive species?
 - Applicant has committed to a boat wash –it should be a high pressure system that is staffed with a trained person.
 - What will be done to protect the shoreline? Northgate installing riprap and rebuilding an existing seawall to combat erosion - these are inconsistent with published EGLE guidelines?
 - What are anticipated plans for managing erosion that might result from boats at the site or wake boats operating too close to shore?
 - Even though plans for shoreline armory will be approved by EGLE, PC should insist on 35 foot buffer at shoreline and vegetation, to minimize impact.
 - Plan includes numerous impervious surfaces, again buffer zone at shoreline would help slow water run-off and would mitigate impact of high rain event
- Claire Eberwein
 - Township should follow zoning rules
 - The Planner gave excellent information -- follow his advice
 - Citizens are very concerned about traffic – recommends another study, independent of that provided by applicant
 - Water quality of great importance. There has been discussion of a second lagoon. PC needs to understand number of lagoons as well as engineering of existing and any additional lagoon(s).
 - PC should insist on a stormwater management plan that incorporates best environmental practices.
 - PC should insist that site plan specifically include all campsites and trailer pads in the 25% lot coverage
 - Addressed to attending Citizens: if you want to make impact contact EGLE, Health Dept and indicate that:
 - some of the most critical issues weren't addressed in new site plan, including stormwater management
- Greg Vogt - Cedar
 - Expressed concern about black and grey water septage and asked what the specific plans for this is?
 - Are there plans for, in the future, receiving black and grey water sources coming into the campground?
 - Will there be a cap on volume of septage from this site on a per day/per month basis?

- John Popa
 - References page 2 of site plan where it refers to current land use as campground and marina – citizen is unaware of any existing permit for a marina, only slips for campers.
 - Citizen recommends deleting the word “marina” from plan.
 - Citizen recommends that PC approval needs to be contingent on preventing loud boats
 - Permit must address chlorine, since both splashpad and pool will have chlorine and chlorine needs to be prevented from getting to the lake.
 - Citizen noted that Northgate indicated they had received a permit from the Road Commission. That permit had 2 contingencies --a bond and insurance. Those need to be furnished to the PC. Also, traffic assessment is apparently incorrectly dated: November, 2023—next month. PC must make sure that is corrected.
 - County health department indicates that the permit is IN PROCESS, not APPROVED. PC must ensure it receives final approval.
 - Another Commission indicated calculations were completed paperwork December 2023 – PC needs to determine whether this is a typo.
 - The patio and pool are in the setback.
 - Lighting—correct indicated wattage in site plan.
 - Consider asking for extension so that correct data and information is obtained with adequate time to then review.
- Jen Watkins
 - There were 19 people watching the livestream.
- PC Chair asked whether Applicant had questions or requests for clarifications at this time in the meeting. Planner indicated that the public hearing at the end of the month would be the time at which the public responds to and comments on discretionary standards.
- Applicant indicated that they believe they are clear on what has been asked and is being required of them, they have taken adequate notes. They plan to provide the information requested at least 7 days prior to the Oct. 25 meeting with.

CLOSING COMMENTS FROM PC AND PLANNER:

- Additional information from CG about conservation easement was provided.
- Marinas are not regulated by PC. Township attorney commented in response to PC question that current site plan does not provide for watercraft sales or services and therefore does not meet the definition of a marina. PC recommends removing all references to marina in the site plan document. Current plan is talking about boat sites and dock slips ONLY.
- Applicant should also include what specific services are being offered in the waterfront store and whether store is open to members of public, other than CR guests. Please indicate whether there is a temporary dock planned for the store and whether gas will be available for sale at the store to watercraft.
- CG also recommends that PC get detailed information on all events that may be held: number, type, location to be held, etc. It is within PC purview to require specific detail on all aspects of events planned for this site. PC, as a condition of approval could ask

for: limited number and types of events, times of day, cap of attendees, emergency and safety plans are provided.

- CG also indicated that PC may wish to consider questions about or requirement for a Conservation Easement.

X. Adjournment-- Tim Johnson, Chair, adjourned the meeting at 9:20 PM

**Centerville Township
PLANNING COMMISSION**

Planner’s Report and Findings of Fact

DRAFT DECISION

Applicants: Northgate Leelanau Pines, LLC, c/o Chelsea Bossenbroek, 38 Commerce Ave SW, Ste. 200, Grand Rapids, MI 49503 (hereinafter referred to as the “Applicant”).

Review Date: (1rst planner’s review 9/7/23; 2nd planner’s review 9/15/23; 1rst PC review/public hearing 9/18/23; 2nd PC review __/__/23; and final PC review __/__/23)

Final Decision Date: Planning Commission _____, 2023.

PROPERTY DESCRIPTION

Northgate/Leelanau Pines is on an 72.74 acre parcel owned by Northgate Resorts at 6500 E. Leelanau Pines Dr., Cedar Michigan 49621 and described as:

Parcel no. 45-002-35-003-13.

PT GOVT LOT 3 OF SW 1/4 SEC 35 COM W 1/4 COR SD SEC TH S 88 DEG 04'27" E 285.71 FT TO C/L LAKE SHORE DR (A/K/A CO RD 643) & POB TH CONT S 88 DEG 04'27" E 2028.57 FT TH S 01 DEG 22'20" W 250.01 FT TH S 88 DEG 04'27" E 291.88 FT TO SHR LAKE LEELANAU TH ALG SD SHR S 34 DEG 36'51" W 1499.93 FT TH CONT ALG SD SHR S 64 DEG 33'25" W 889.25 TO BANK OF RICE CREEK TH ALG SD BANK N 28 DEG 41'30" W 106.07 FT TH CONT ALG SD BANK N 68 DEG 11'55" W 166.52 FT TH ALG SD BANK N 11 DEG 34'02" W 248.05 FT TH CONT ALG SD BANK N 62 DEG 39'33" W 274.57 FT TH ALG SD BANK N 10 DEG 28'24" W 482.32 FT TH CONT ALG SD BANK N 26 DEG 30'28" W 374.17 FT TH ALG SD BANK N 48 DEG 49'29" W 266.39 FT TH N 01 DEG 22'20" E 125.76 FT TO SD C/L TH ALG SD C/L 427.28 FT ON ACR OF 625.71 FT RADIUS CURVE RIGHT (LC=N 43 DEG 23'32" E 426.80 FT) TO POB INCLUDES ALL LAND BETWEEN SIDELINES TO WATERS EDGE OF LAKE LEELANAU AND THREAD OF SD CREEK SUBJ TO & TOG WITH EASE SEC 35 T29N R12W 72.74 A M/L 2022 SPLIT FROM 002-035-002-00 & 002-035-003-00

The parcel is located within Section 35, T29N, R12W, Centerville Township, Leelanau County, and hereinafter referred to as the “subject property.”

APPLICATION

On August 31, 2023 the Applicant submitted an application for site plan and special land use approval. On September 7, 2023 the Township Planner emailed agent for the Applicant Mr. Jason VanderKodde, PE of Fishbeck requesting additional site plan information and clarifications. Fishbeck responded to this request in writing on September 13, 2023. Mr. VanderKoodde and the

Township Planner met via telephone on September 15, 2023, on which date the Township Planner determined the application was administratively complete.

Northgate Leelanau Pines, LLC proposes to construct 150 new campsites (170 currently exist); a new check-in office building; new waterfront pavilion; new marina store with associated parking; new bathhouse; new open air pavilion, new pools, equipment building an bathhouse; new maintenance building; and new recreational facilities including walking trails, pools, boardwalk, splash pad, mini golf, jump allow and sports courts. The Applicant also proposes to renovate the following existing facilities: camp office with restrooms and associated parking; game room & storage; bathhouse and laundry; and a cabin.

The Applicant has also applied to the Michigan Department of Environment Great Lakes and Energy (EGLE) Submission No. HPR-59MH-CX6Z7 to relocate and reconfigure the existing marina consisting of 82 boat slips (82 slips currently exist), 680 feet of new broadside dockage (creating 16 new broadside boat slips, with 18 currently existing), installing a new 240 feet by 6 feet wide East Dock (consolidated from existing east and west docks) with 76 seasonal boat slips; a new, reconfigured 181 feet long by 6 feet wide South Dock; a new double boat launch (two existing single boat launches to be removed/replaced and a new double launch); a dry hydrant; 5 sets of new shoreline stairways; 16 feet of new seawall; 137 feet of replacement seawall; repair 292 lineal feet of existing riprap; new riprap along a total of 889 lineal feet of shoreline; a 75 feet long by 4 feet wide seasonal boat launch dock; and 117 seasonal boat slips, including a new boat hoist.

The Planning Commission having reviewed the Applicant's revised August 31, 2023 application; having heard the statements of the Applicant and their agents; the Applicant and their agents having completed a pre-application conference with the Township Planner and Planning Commissioners; having reviewed all written documentation and supporting materials; having held a public hearing on September 18, 2023; the Centerville Township Planning Commission having reached a decision on this matter, finding the following:

GENERAL FINDINGS OF FACT

1. The Planning Commission finds that the site is located at 6500 E. Leelanau Pines Dr., Cedar, Leelanau County, Michigan.
2. The Planning Commission finds that the subject property consists of 72.74 acres (Parcel No. #45-002-35-003-13).
3. The Planning Commission finds that the property is zoned Commercial Resort (CR) by the Centerville Township Zoning Ordinance, effective December 7, 2007, as amended through April 27, 2023.
4. The Planning Commission finds that the Applicant has agreed "(t)his revised site plan will cap the number of boats at 82, and will also contain details regarding the boat-washing station to prevent the introduction of invasive species..." see Section 3:

Mediation Settlement Agreement, Case no. 2023-10981-CZ & CZ 2023-10986-AA, dated August 17, 2023.

5. The Planning Commission finds that required local agency permits, including but not limited to the required EGLE permits (i.e., Part 41 groundwater discharge for sewage/waste water treatment and disposal (EGLE #HPM-09PX-793C6); Part 125 Campground expansion license (follows final Township action); and Parts 303/301 stormwater discharge, marina, docks/moorings, boat launch, wetland fill, shoreline stairs, shoreline stabilization, etc. (EGLE #HPR-59MH-CX6Z7), Leelanau County Soil Erosion and Sedimentation Control (SESC)/Leelanau County Drain Commissioner; Cedar Area Fire & Rescue; Leelanau County Road Commission; are either already in-place, or need to be submitted to the Township as condition of this approval.
6. The Planning Commission finds that, under Section 13.1.D. of the Centerville Township Zoning Ordinance, the proposed project is a major site plan, and that the Planning Commission is the designated authority to review and approve, approve with conditions, or deny the project site plan.

SECTION 4.4 – Schedule of Regulations. Parcels within the CR District shall meet the following dimensional regulations.

- A. Minimum Lot Area - 20,000 square feet.

The subject parcel consists of 72.74 acres or 3,168,554.4 sq. ft.

Finding: The Planning Commission finds that this standard has been met.

- B. Minimum Lot Width - 100 feet

The subject parcel lot width is 425 (+/-) feet along S. Lake Shore Dr (CR 643) and 2,667 feet (+/-) along the shore of S. Lake Lake Leelanau.

Finding: The Planning Commission finds that this standard has been met.

- C. Maximum Height of Structure - 40 feet

Finding: The heights of proposed new and renovated buildings and structures have been specified or labeled as “single-story” on site plans (with the exception of “staff housing” and “cabanas.”) See Sheets C200 and C202, dated 9/1/23. The Planning Commission finds that this standard has has not been met, and more information is needed.

- D. Front Lot/Waterfront Setback - 40 feet minimum

Finding: Proposed front/waterfront setback for all structures, except for an 8 ft by 8 ft shed at the new boat launch and dome at the shoreline playground are 40 feet or greater (see

Sheet C104, dated 9/1/23). The Planning Commission finds that this standard has not been met.

E. Side Lot Setbacks - 10 feet minimum

Finding: Proposed side setbacks are 10 feet of greater (see Sheet C200, dated 9/1/23). The Planning Commission finds that this standard has been met.

F. Rear Lot Setback - 15 feet minimum

Finding: Proposed rear setbacks are 15 feet or greater (see Sheet L101). The Planning Commission finds that this standard has been met.

G. Setback from Highway - 40 feet minimum with 66 ft right-of-way

Finding: Proposed entrance parking area setback from C.R. 643/S. Lakeshore Dr. is greater than 40 feet (see Sheet C401, dated 9/1/23). The Planning Commission finds that this standard has been met.

G. Maximum Lot Coverage - 25 percent

Finding: Proposed lot coverage is not detailed within the revised site plan review application (see Sheet C200, dated 9/1/23). The Planning Commission finds that this standard has not been met, and more information is needed.

Additional Requirements:

Section 6.2. - CR: Uses Permitted by Special Approval

1. Special land uses include "...campgrounds, and RV parks..."

Finding: The Planning Commission finds that this standard has been met.

Section 3.7.C. - Signs

1. One identification sign of not more than 32 square feet may be erected on the premises as part of any business.

Finding: Applicant proposes one (1) top-lit, entrance sign at 40 square feet, i.e., sign panel at 10 ft by 4 ft on 8 feet high end-posts. The Planning Commission finds that this standard has not been met.

Section 3.18 Outdoor Lighting Ordinance - Section 3.18.2 Standards:

Outdoor lighting fixtures (fixture) and installations shall conform to the following restrictions, excluding applications of single decorative lamps of less than 70 watts:

1. The fixture shall be designed and/or shielded in such a configuration as to limit all lighting above the fixture from horizontal to the lamp and upward.

Finding: The Planning Commission finds that this standard has been met. See Sheet L104.

2. The fixture and installation are to be designed such that direct views of the lamp are not visible from adjacent properties or public property, including roadways.

Finding: The Planning Commission finds that this standard has been met. See Sheets L101 through L104.

3. Fixtures and installations are to be designed in such a way as to minimize energy usage through:
 - A. Optical efficiency of the lamp and fixture.
 - B. High lumen per watt output of the lamp source.
 - C. Use of manual switching, timers and/or motion detectors for minimal usage.

Finding: The Planning Commission finds that this standard has been met. See Sheets L101 through L104.

4. All outdoor recreational facilities, including but not limited to tennis courts, outdoor field sports, golf courses and facilities, and ski areas shall be illuminated with fixtures in compliance with the above restrictions and equipped to manually or automatically switch off before 11:30 pm.

Finding: The Planning Commission finds that this standard has not been met, and additional information is needed.

5. Spotlights and floodlights shall be directed generally downward. By exception, signage, buildings and landscaping may be upright only by fixtures less than 70 watts and the lighting must light only the intended surface area.

Finding: The Planning Commission finds that this standard has been met. See Sheets L101 through L104.

6. Signage may be lit only to the extent that the signage itself is directly lit by the lamp source. The lamp source may not be visible to the passing motorist in either direction.

Finding: The Planning Commission finds that this standard has been met. See Sheets L101 through L104.

7. Pole lighting may not be higher than 22'.

Finding: The Planning Commission finds that this standard has not been met, and additional information is needed.

8. Parking lots may only be lighted during regular business hours + 1hr at closing.

Finding: The Planning Commission finds that this standard has not been met, and additional information is needed.

9. Security lighting of parking lots and buildings is exempt from the above provision, except that Security lighting must comply with articles 1, 2 & 3. If Security lighting is to be wall mounted, it must be oriented downward.

Finding: The Planning Commission finds that this standard has been met. See Sheets L101 through L104.

10. The use of lighting for farming is specifically exempt from the standards of this ordinance, except that greenhouse and hothouse lighting is to be considered an industrial application.

Finding: The Planning Commission finds that this standard is N/A.

11. Other uses as specifically applied for to the planning commission may or may not be granted by a majority vote such as: temporary lighting events, night construction operations, sports events, specialized industrial applications, etc.

Finding: The Planning Commission finds that this standard is N/A.

Article 13, Section 13.1: Requirements for Site Plan - Application for Site Plan Review

Through the application of the following provisions, the attainment of the aims of the Centerville Township Master Plan will be assured and the Township will develop in an orderly fashion.

Finding: The Planning Commission finds that this standard has been met/has not been met/has been conditionally met.

- a. Each submittal for Site Plan Review shall be accompanied by an application and site plan...the application shall at a minimum, include the following:
 1. The applicant's name, address, e-mail, and phone number in full.
 2. Proof of property ownership, and whether there are any options on the property, deed restrictions, or any liens against it.

3. A signed statement that the applicant is the owner of the property or officially acting on the owners behalf.
 4. The name and address of the owner(s) of record if the applicant is not the owner of record (or firm or corporation having a legal or equitable interest in the land), and the signature of the owner(s).
 5. The address and property tax number of the property.
 6. Name, phone number, e-mail, and address of the developer (if different from the applicant).
 7. Name, phone number, e-mail, and address of the engineer, architect and/or land surveyor.
 8. Project title.
 9. Project description, including the total number of structures, units, bedrooms, offices, square feet, total and usable floor area, parking spaces, carports or garages, employees by shift, amount of recreation and open space, type of recreation facilities to be provided, hours of operation if applicable and related information as pertinent or otherwise required by this ordinance.
 10. A vicinity map drawn at a scale of 1" = 2000' with north point indicated.
 11. The gross and net acreage of all parcels in the project.
 12. Land uses, zoning classification and existing structures on the subject parcel and adjoining parcels.
 13. Project completion schedule/development phases.
 14. Written statements relative to project impacts on existing infrastructure (including traffic capacity of streets, schools, and existing utilities) and on the natural environment of the site and adjoining lands.
- b. The site plan shall consist of an accurate, reproducible drawing at a scale of 1" =100' or less, showing the site and all land within 300' of the site. If multiple sheets are used, each shall be labeled and the preparer identified. Each site plan shall depict the following unless previously waived by the Centerville Township Planning Commission:
1. Location of proposed and/or existing property lines, dimensions, legal description, setback lines and monument locations.
 2. Existing topographic elevations at two-foot intervals, proposed grades and direction of drainage flow.
 3. The location and type of existing soils on the site and any certifications of borings.

4. Location and type of significant existing vegetation.
5. Location and elevations of existing watercourses and water bodies, including county drains and man-made surface drainage ways, floodplain and wetlands.
6. Location of existing and proposed buildings and intended uses thereof, as well as the length, width, and height of each building.
7. Proposed location of accessory structures, buildings and uses, including but not limited to all flagpoles, light poles, bulkheads, docks, storage sheds, transformers, air conditioners, generators and similar equipment, and the method of screening where applicable.
8. Location of existing public roads, right-of-ways and private easements of record and abutting streets.
9. Location of and dimensions of proposed streets, drives, curb cuts, and access easements, as well as acceleration, deceleration and passing lanes (if any) serving the development. Details of entryway and sign locations should be separately depicted with an elevation view.
10. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
11. Location, size, and characteristics of all loading and unloading areas.
12. Location and design of all sidewalks, walkways, bicycle paths and areas for public use.
13. Location of water supply lines and/or wells, including fire hydrants and shut off valves, and the location and design of storm sewers, retention and detention ponds, waste water lines, clean-out locations, connection points and treatment systems, including septic systems if applicable.
14. Location of all other utilities on the site including but not limited to natural gas, electric, cable, telephone and fiber optic.
15. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.
16. Location, size and specifications of all signs and advertising features with cross- sections
17. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
18. Location and specifications for all fences, walls, and other screen features with cross-sections.

19. Location and specifications for all proposed perimeter and internal landscaping and other buffering features. For each new landscape material the proposed size at the time of planting must be indicated. All vegetation to be retained on the site must also be indicated, as well as its typical size by general location or range of sizes as appropriate.
20. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
21. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.
22. Identification of any site amenities or natural features.
23. Identification of any views onto or from the site to or from adjoining areas.
24. North arrow, scale and date of original submittal and last revision.
25. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan.
26. Deed restrictions, Master Deed restrictions, and bylaws as applicable, for Township review to insure that the condominium subdivision, or any use or development which requires site approval, its Master Association, and the applicant have provided for the continual maintenance of the development's services and facilities, to insure protection of the natural environment; compatibility with adjacent uses of land; and general upkeep of the subdivision's land in a socially and economically desirable manner.

Finding: The Township Planner determined that the application was administratively complete on 9/15/23, and Planning Commission finds that the above requirements have been met.

Article 13, Section 13.1.G – Standards for Granting Site Plan Approval

- a. Each site plan shall conform to all applicable provisions of this Zoning Ordinance and the standards listed below:
 1. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

Finding: The Planning Commission finds that this standard has been met/has not been met.

2. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas.

Finding: The Planning Commission finds that this standard has been met/has not been met.

3. Site plans shall fully conform with the published surface water drainage standards of the County Drain Commission.

Finding: The Planning Commission finds that this standard has been conditionally met.

4. Special attention shall be given to proper site drainage so that removal of stormwaters will not adversely affect neighboring property owners.

Finding: The Planning Commission finds that this standard has been conditionally met.

5. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein and adjacent parcels. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

Finding: Applicant proposes to retain existing trees as a “perimeter buffer” along the entirety of the project of “varying” widths, but no additional detail is provided regarding the vegetation or other structures/features within the perimeter buffer. See Sheets L1021 through 103. The Planning Commission finds that this standard has not been met, and additional information is needed.

6. All buildings or groups of buildings shall be so arranged as to permit emergency access by some practical means to all sides.

Finding: The Planning Commission finds that this standard has been met.

7. If there is a pedestrian circulation system, it shall be insulated as completely as reasonably possible from the vehicular circulation system.

Finding: The Planning Commission finds that this standard has been met.

8. 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 thoroughfares, shall be screened, by a vertical screen consisting of structural or plant material no less than six (6) feet in height.

Finding: Applicant proposes a dumpster enclosure north of the maintenance building at 30 ft by 10 ft, but screening height is not depicted. The Planning Commission finds that this standard has not been met. See Sheet C201, dated 9/1/23.

9. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.

Finding: The Planning Commission finds that this standard has been met.

10. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are a part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified by the County Road Commission.

Finding: The Planning Commission finds that this standard has been met.

11. All streets shall be developed in accordance with the Centerville Township Private Road Ordinance or the Leelanau County Road Commission specifications as required.

Finding: The Planning Commission finds that this standard has been met.

12. Site plans shall fully conform to the driveway and traffic safety standards of the Michigan Department of Transportation and/or the County Road Commission.

Finding: The Planning Commission finds that this standard has been met.

13. Site plans shall fully conform to the applicable fire safety and emergency vehicle access requirements of the State Construction Code and/or local Fire Chief requirements.

Finding: The Planning Commission finds that this standard has been met.

14. Site plans shall fully conform to the County Soil Erosion and Sedimentation Control Ordinance.

Finding: The Planning Commission finds that this standard has been conditionally met.

15. Site plans shall fully conform to the requirements of the Michigan Department of Public Health and the District Health Department.

Finding: The Planning Commission finds that this standard has been conditionally met.

16. Site plans shall fully conform to all applicable state and federal statutes.

Finding: The Planning Commission finds that this standard has been conditionally met.

17. Site plans shall conform to all applicable requirements of local, state and federal statutes and approval shall be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.

Finding: The Planning Commission finds that this standard has been conditionally met.

Section 13.1.H. Conditional Approvals

- a. The Planning Commission may conditionally approve a site plan in conformance with the standards of another local, county or state agency, such as but not limited to a Water and Sewer Department, County Drain Commission, County Road Commission, State Highway Commission or Environmental Quality Department. They may do so when such conditions:
 1. would insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity,

Finding: The Planning Commission finds that this standard has been conditionally met.

2. would protect the natural environment and conserve natural resources and energy,

Finding: The Planning Commission finds that this standard has been met/has not been met/conditionally met.

3. would insure compatibility with adjacent uses of land, and

Finding: The Planning Commission finds that this standard has been met/has not been met/conditionally met.

4. would promote the use of land in a socially and economically desirable manner.

Finding: The Planning Commission finds that this standard has been met/has not been met/conditionally met.

- b. The Planning Commission may conditionally approve a site plan for its conformance with fencing, screening, buffering or landscaping requirements of this Ordinance and may collect a performance guarantee consistent with the requirements of J of this Section (below) to insure conformance. When so doing, the following finding shall be made and documented as part of the review process:
 1. that such fencing, screening, buffering or landscaping would mitigate negative effects of noise, dust, lighting, vehicular or pedestrian traffic, loading or unloading, parking or other similar impact on adjoining parcels;
 2. that absent such conditions, the development would adversely affect the reasonable use, enjoyment and value of adjoining lands in light of similar benefits enjoyed by other properties in the area.

Finding: The Planning Commission finds that a performance guarantee is not requested or required for the proposed project.

Section 13.1.J. Performance Guarantee Required

In the interest of insuring compliance with the Zoning Ordinance provisions, protecting the natural resources and the health, safety and welfare of the residents of Centerville Township and future users or inhabitants of an area for which a site plan for a proposed use has been submitted, the Planning Commission may require the applicant to deposit a performance guarantee as set forth herein. The purpose of the performance guarantee is to insure completion of improvements connected with the proposed use as required by this Ordinance, including but not limited to, roadways, lighting, utilities, sidewalks, drainage, fences, screens, walls, landscaping, and widening strips.

Finding: The Planning Commission finds that a performance guarantee is not requested or required for the proposed project.

DECISION

Upon motion, seconded and passed, the Planning Commission hereby finds that the Applicant's proposed site plan is approved/denied/approved subject to the following conditions:

CONDITIONS

1. THAT this revised site plan caps the number of boats at 82, and will also contain details regarding the boat-washing station to prevent the introduction of invasive species.
2. THAT a copy of an approved EGLE Parts 301/303: Land Lakes and Streams and Wetland Protection permit shall be provided to Centerville Township.
3. THAT a copy of an approved EGLE Part 41 Sewage treatment and Disposal permit shall be provided to Centerville Township.
4. THAT a copy of an approved EGLE Part 125 Campground expansion license shall be provided to Centerville Township.
5. THAT a copy of an approved Leelanau Conservation District Soil Erosion and Sedimentation Control (SESC)/Drain Commissioner permit shall be provided to Centerville Township.
6. THAT maximum lot coverage will not exceed 25 percent.
7. THAT the proposed entrance sign will be 32 square feet or less in size.
8. THAT all proposed buildings and structures will comply with waterfront setback requirements.
9. THAT all outdoor lighting will fully comply with Section 3.18 of this Centerville Township Zoning Ordinance.
10. THAT a perimeter buffer will be established and maintained to adequately protect current and future land uses as deemed by the Township.
11. THAT dumpster screening will be six (6) feet in height.
12. THAT the Applicant will provide adequate details of the proposed boat wash station.
13. THAT as-built plans be provided to the Centerville Township following the completion of the proposed project.

DATE DECISION AND FINDINGS ADOPTED

Month day, 2023

Mr. Timothy Johnson
Planning Commission, Chair

Recording Secretary