

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
REGULAR CITY COUNCIL MEETING
MONDAY, MARCH 1, 2021
(Electronic Remote Meeting)**

The Regular Meeting of the Grand Haven City Council was called to order at 7:30 p.m. by Mayor Bob Monetza. This meeting was held remotely due to the COVID-19 emergency.

Present: Council Members Mike Dora (Grand Haven), Ryan Cummins (Laketown Township), Dennis Scott (Grand Haven), Mike Fritz (Grand Haven), and Mayor Bob Monetza (Grand Haven).

Absent: None.

Others Present: City Manager Patrick McGinnis, City Clerk Linda L. Browand, Administrative Assistant Anna Darwin, Assistant to the City Manager Ashley Latsch, Finance Director/Treasurer Amy Bessinger, Human Resources Manager Zac VanOsdol, Public Works Director Derek Gajdos, Public Safety Director Jeff Hawke, Streets & Utilities Manager Matt Wade, and Facilities Manager Todd Brand.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

A moment of silence was led by Mayor Monetza and followed by the Pledge of Allegiance.

PRESENTATIONS

Human Relations Commission/Grand Haven Area Public Schools Diversity Video

- Shyle Lyons

Ms. Lyons presented the video of community leaders and future leaders reading the diversity statement written by the Human Relations Commission

Council thanked the Human Relations Commission for all of their continued hard work and also to Ms. Lyons for all of her work behind the scenes on the City's Facebook page.

Council Member Cummins added that the City believed that this statement was more than just a statement. Diversity, Equity, and Inclusion was a critical goal over the next fiscal year.

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APPROVAL OF CONSENT AND REGULAR AGENDAS

21-040 Moved by Council Member **Dora**, seconded by Council Member **Cummins**, to approve the consent and regular agendas, as presented. This motion carried unanimously.

CALL TO AUDIENCE

Mayor Monetza made a call to the audience, allowing audience members to address Council on any issue.

Calls:

- Ms. Judith Hooper, 11 Grandview Avenue, commented she had sent in questions regarding the Diesel Plant proposals on February 26. She hoped that Council saw that the survey showed a majority of residents wanted to retain the existing structure. City Manager McGinnis responded that he would contact Ms. Hooper during regular business hours to answer her questions.
- Mr. Josh Brugger, 626 Lake, acknowledged that the reason the City was developing properties boiled down to the “dollars and cents” of it. People did not realize the financial ramifications of development of City properties. He suggested that if the community did not want properties developed, then the millage equivalent should be placed on the ballot.

Facebook:

- Mr. Collin Beighley, 1126 Slayton, urged Council to not move forward with the Captstone proposal for the former diesel plant.
- Ms. Kelly Larson, Temptations of Grand Haven, thanked Council for considering the extension of the tenant leases at the Depot.
- Mr. Tom LeVand, Grand Haven Township resident, suggested turning the diesel plant site into a parking facility.

CONTINUATION OF WORK SESSION

Unfunded Accrued Liability Report (cont'd)

- Pat McGinnis, City Manager
- Amy Bessinger, Finance Director/Treasurer
- Zachary VanOsdol, Human Resources Manager

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Council continued the review of the agenda packet information.

City Manager McGinnis reported that one of Council's goals for this coming fiscal year was to address this ongoing liability once and for all. Four options were presented:

1. Eliminate Services
2. Develop Public Lands
3. Go to the Voters – supplement pension payments with new millage
4. Go to the Voters – dedicated millage for public safety purposes only to free up resources to get pension issue under control.

Council noted that both they and the community would need to do some serious thinking. It was suggested that maybe a hybrid solution could be created.

CONSENT AGENDA

21-041 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to approve Council electronic remote meeting minutes of the Special Work Session and Regular Meeting of February 15, 2021. This motion carried unanimously.

21-042 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to approve the bills memo in the amount of \$761,568.52. This motion carried unanimously. (Attachment A)

21-043 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to allow staff to negotiate lease terms with Tim and Debra Reed, Spring Lake, Michigan, to operate City property commonly known as Pier Peddler and Nibbles and authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously.

21-044 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to approve the acceptance of a Michigan EGLE Brownfield Redevelopment Grant and Loan for the Peerless Flats project, up to \$900,000 each, and authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously. (Attachment B)

Mayor Monetza stated this grant and loan could significantly reduce the term of the brownfield plan.

21-045 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to approve the Michigan Department of Transportation Trunkline Maintenance Contract covering the period of October 1, 2019 through September 30, 2024 and authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously.

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21-046 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to approve a proposal from the Lakeshore Pickleball Club to fund a concrete pad along the north side of the Mulligan's Hollow pickleball/tennis courts. This motion carried unanimously.

21-047 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to approve the purchase of play items for the Chinook Pier Area Waterfront Fun Zone not to exceed \$35,000, with funds coming from a Huntington Bank Grant (\$10,000), Boer Family Fund at the Grand Haven Community Foundation (\$10,000), and the balance to be appropriated via a supplemental budget adjustment from Chinook Pier Fund. This motion carried unanimously.

Facilities Manager Brand reported that the items would fall under the City's responsibility for maintenance.

City Manager McGinnis hoped that another "funder" could be found to help with the cost.

UNFINISHED BUSINESS

21-048 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to approve a final resolution amending the Grand Landing Planned Development landscape plan along the eastern edge of the development, adjacent to US-31. This motion carried unanimously. (Attachment C)

21-049 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to approve a final resolution amending the Grand Plaza Planned Development to allow for medical marijuana provisioning center, medical office, and professional service establishment as allowable land uses, and approving a preliminary development plan for a new multi-tenant commercial building on vacant property east of 951 Jackson Avenue (parcel #70-03-21-199-021). This motion carried unanimously. (Attachment D)

21-050 Moved by Council Member **Dora**, seconded by Council Member **Scott**, to approve a final resolution approving a 10-year lease renewal with Snug Harbor, 311 S. Harbor Drive, extending January 1, 2021 – December 31, 2030, and authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously.

Council thanked the Loftis' for being such a great tenant and for all of the investments made in the building.

NEW BUSINESS

21-051 Moved by Council Member **Fritz**, seconded by Council Member **Dora**, to approve a one-year license agreement extension, from October 10, 2021 – October 10, 2022, for

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the tenants currently occupying the Grand Trunk Depot: Temptations, Just Goods, Grand Haven Beach Company, and Peace Frogs, and authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously.

Council Member Dora thanked staff for bringing up these lease extensions at this time to allow tenants more time to prepare for the 2022 season.

21-052 Moved by Council Member **Scott**, seconded by Council Member **Fritz**, to approve a recommendation from the Grand Haven Board of Light and Power to retain Arthur Siegal from the firm of Jaffe, Raitt Heur & Weiss to represent the City in environmental matters regarding the closure of the JB Sims Generating Station pursuant to Sec. 7.6(g) of the City Charter. This motion carried unanimously.

City Manager McGinnis stated the City's charter allowed for the retention of special legal counsel to handle any matter in which the City had an interest. The BLP and City Council would have a joint session, hopefully next week, to receive the attorney's opinion with a topic to go into closed session for further discussion. This special counsel will represent both the BLP and the City and will do so in concert with the City Attorney.

Council Member Cummins expressed concern as to funds that may be necessary to spend on special counsel that could be used for the environmental cleanup. He also noted that the City and BLP needed to remain transparent with the information.

21-053 Moved by Council Member **Dora**, seconded by Council Member **Scott**, to approve a recommendation from the Grand Haven Board of Light and Power to sell the Grand Haven BLP Diesel Plant property to Capstone Development for \$1,525,000 for the demolition of the existing building and the construction of 16 condominium townhouses and direct staff to negotiate final development details and prepare agreements for further action by City Council. This motion failed unanimously.

Council members expressed opposition to this proposed development based on public input and Boards & Commissions comments.

After further discussion, it was agreed that staff would re-approach the 4 developers that had submitted proposals to see if they were interested in making adjustments to their proposals.

City Manager McGinnis stated he would also like additional advice from the BLP. The City should consider a minimum bid of \$1,000,000.

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REPORTS BY CITY COUNCIL

Council Member Fritz reported that he had taken a walk downtown and noticed a lot of dog excrement that was being exposed as the snow melted. Pet owners needed to be responsible and pick up after their pets. He was happy that spring was around the corner but urged people to continue to wear masks, wash up, social distance, and get vaccinated.

Council Member Dora urged everyone to take time this month to read about women who contributed to American history.

Council Member Scott stated that he had seen the dog excrement problem all over town.

Council Member Cummins reported he had attended and viewed many meetings. He commended those involved in the Snowmen on Main project. He noted that this year was an election year if anyone was interested in running for mayor, council, or the Board of Light and Power to contact the City Clerk's Office for petition information.

Mayor Monetza stated there had been some misinformation/mischaracterization on Grand Haven Informed regarding the fees for use of outdoor space that were approved at the last council meeting. Fees would be waived this calendar year but it was expected that the demand for use of City property would continue after the pandemic. The fees would then be charged instead of the costs paid by all City taxpayers. He listened in on the BLP regular meeting and presentation regarding the Harbor Island master plan; the Human Relations Commission was working on strategic planning, setting objectives, and measuring how they were meeting their goals; and the Historic Conservation District Commission was reviewing ordinances and what their appropriate responsibilities should be. Boards & Commissions members took their positions seriously and Council respected their work.

REPORT BY CITY MANAGER

Retirement Announcement

City Clerk Browand announced that she would be retiring at the end of the year. Council congratulated her and thanked her for the many years she will have served the City.

Historic Conservation District Commission

There have been some discussions on how to interpret the ordinance regarding the commission. The ordinance states the commission should review building permits in the 7 historical districts. Any permits issued for the 12 locally designated landmarks would also need the commission's

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permission. The commission is considering a strict interpretation and is questioning council expectations.

Charter Amendment Report

City Clerk Browand reported that Charter amendments could be done in phases as to not overwhelm voters with too much information. It was suggested that the first ballot proposal would be to remove some obsolete/moot sections, and related language, and make an adjustment to the City Attorney council meeting attendance requirement.

Water/Sewer Rates Report

Public Works Director Gajdos reviewed water and sewer rate projections and recommendations included in the agenda packet. Increases to the City's water and sewer rates would be necessary in order to fund the infrastructure replacement plan. An 8% annual increase for the next 3 years for both water and sewer was expected to accomplish that goal.

Infrastructure Priority Review Committee 2021

Council Members Scott and Dora volunteered to serve on this committee. City Manager McGinnis expected meetings to start sometime in March.

Outdoor Dining

Public Safety Director Hawke stated his department had been working on ideas for expanded seating with downtown restaurants for this summer. A suggestion was to close down the first block of Washington with a pedestrian access/fire lane down the middle of the street.

Council expressed concern regarding access to storefronts in that block. Also, more work would need to be done to work out seating and access during Coast Guard Festival.

City Manager McGinnis stated that restaurant owners might need to get the “ok” from retail tenants in that block.

GENERAL BUSINESS/CALL TO AUDIENCE

Mayor Monetza made a call to the audience, allowing audience members to address Council on any issue.

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Calls:

- Mr. Cecil Bradshaw, 31 Sherman, stated that the Sandpiper Condominium Association felt that the Capstone proposal for the BLP diesel plant building was the best choice. A decision needed to be made in the best interest of the city, not just on emotional feelings for the building.
- Ms. Judith Hooper, 11 Grandview Avenue, encouraged the City to involve Boards & Commission, Community Development, and citizen input to set the criteria for the future use of the diesel plant building.

Facebook:

- Mr. David Cross, 910 S. Ferry, urged Council to not move forward with demolishing the diesel plant building in order to build condos.
- Ms. Kara Hines, 315 Woodlawn, was also opposed to tearing down the diesel plant building. She felt that something needed to be there that could be utilized by year-round residents and tourists alike.
- Mr. Ray Sortman, 305 Sherman, opposed not only condos being built but the sale of strategic City property for the benefit of private developers.
- Ms. Ann Fountain, 1909 Pine Court, felt the diesel plant building was a piece of Grand Haven history that should not be destroyed.
- Ms. Gayle Parmelee, 215 Howard Avenue, felt there were too many areas in the Beyond the Pier plan that represented potential infill and needed to be retained. Future growth in the downtown seemed counterproductive to improving the downtown parking. She also wanted the diesel plant building to be saved.

ADJOURNMENT

After hearing no further business, Mayor Monetza adjourned the meeting at 10:20 p.m.



Robert Monetza, Mayor



Linda L. Browand
Linda L. Browand, City Clerk

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Attachment A

To: Patrick McGinnis, City Manager
From: Amy Bessinger, Finance Director
CM Date: 3.1.2021

RE: Bills From Payables Warrant

FUND NUMBER	FUND NAME	ACH 2.24.2021 WARRANT	2.24.2021 WARRANT	CREDIT CARD WARRANT	TAX 2.17.2021 WARRANT	2.17.2021 WARRANT	VOIDS	TOTALS
101	General Fund	\$10,073.45	\$45,245.90	\$0.00	\$0.00	\$14,980.17	\$0.00	\$70,299.52
202	Major Street Fund	\$6,489.00	\$20,871.04	\$0.00	\$0.00	\$171.75	\$0.00	\$27,531.79
203	Local Street Fund	\$6,016.00	\$90,768.22	\$0.00	\$0.00	\$61.75	\$0.00	\$96,845.97
225	Land Acquisition Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
236	Main St Dist Dev	\$0.00	\$3,546.08	\$0.00	\$0.00	\$1,338.00	\$0.00	\$4,884.08
251	Econ. Dev. Corp. Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
252	Brownfield Redevelopment Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
253	Brlf LSRRF TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
254	Downtown TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
255	GLTIF Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
256	UTGO Inf Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
257	LTGO Bond Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
258	2015 UTGO Bond Rev	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
275	Housing Fund	\$0.00	\$909.00	\$0.00	\$0.00	\$263.63	\$0.00	\$1,172.63
276	LightHouse Maintenance Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
310	Assessment Bond Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
351	Operating Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
352	Brownfield TIF Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
353	Downtown TIF Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
355	GLTIF Debt Serv Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
356	UTGO Inf Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
357	LTGO Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
358	2015 UTGO Bond Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
369	Building Auth Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
401	Public Improvements Fund	\$5,838.25	\$69,177.13	\$0.00	\$0.00	\$0.00	\$0.00	\$75,015.38
402	Fire Truck Replacement Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
403	Brownfield TIF Const	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
404	Downtown TIF Const.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
455	G/L TIF Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
456	UTGO Inf Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
457	LTGO Bond Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
458	2015 UTGO Bond Inf Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
469	Building Auth. Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
508	North Ottawa Rec Authority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
581	Airpark Fund	\$0.00	\$43,227.26	\$0.00	\$0.00	\$5,865.26	\$0.00	\$49,092.52
582	Chinook Pier Rental Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
590	City Sewer Fund	\$4,684.41	\$154,613.06	\$0.00	\$0.00	\$9,921.33	\$0.00	\$169,218.80
591	City Water Fund	\$3,733.33	\$1,422.00	\$0.00	\$0.00	\$33,677.90	\$0.00	\$38,833.23
594	City Marina Fund	\$0.00	\$362.66	\$0.00	\$0.00	\$383.50	\$0.00	\$746.16
661	Motorpool Fund	\$2,153.15	\$72,322.52	\$0.00	\$0.00	\$2,207.71	\$0.00	\$76,683.38
677	Self Insurance Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$40,295.00	\$0.00	\$40,295.00
679	Health Benefit Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
701	Trust & Agency Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
703	Tax Collection Fund	\$0.00	\$2,107.89	\$0.00	\$87,840.02	\$13.46	\$0.00	\$89,961.37
711	Cemetery Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
678	Retirement Health Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
750	Payroll Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	Sewer Authority Operations	\$1,079.67	\$15,200.54	\$0.00	\$0.00	\$2,410.54	\$0.00	\$18,690.75
800	Sewer Authority SL Force Mn	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	Sewer Authority Plant Mod	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	GH/SL SA-2013 Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	GH/SL SA-SLPS/Force Main Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	GH/SL SA-Local Lift Station Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	GH/SL SA-2018 Plant Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
810	NOWS Operating	\$205.45	\$1,200.20	\$0.00	\$0.00	\$892.29	\$0.00	\$2,297.94
810	NOWS Plant Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
810	NOWS Replacement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$40,272.71	\$520,973.50	\$0.00	\$87,840.02	\$112,482.29	\$0.00	\$761,568.52

Tonight, City Council will be approving, subject to audit, bills for this period, totaling as follows:

\$761,568.52 Total Approved Bills

\$130,256.37 Minus eligible bills for release without prior approval: including Utility,

\$631,312.15 Retirement, Insurance, Health Benefit, and Tax Collection Funds



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Attachment B

CITY OF GRAND HAVEN

**RESOLUTION APPROVING ACCEPTANCE OF A MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY BROWNFIELD
REDEVELOPMENT GRANT AND LOAN FOR THE PEERLESS FLATS
REDEVELOPMENT PROJECT LOCATED ON MULTIPLE PARCELS (70-03-20-
279-017, 70-03-20-278-005, 70-03-20-20-279-020, 70-03-20-278-006, 70-
03-20-279-019, 70-03-20-279-008, 70-03-20-279-025, 70-03-20-279-024,
70-03-20-278-015, 70-03-20-279-023), GRAND HAVEN, MICHIGAN**

At an electronic meeting of the City Council of City of Grand Haven, Ottawa County, Michigan, on 1st day of March 2021, at 7:30 p.m.

PRESENT: Dora, Cummins, Scott, Fritz, and Monetza

ABSENT: NONE

MOTION BY: Council Member Fritz

SUPPORTED BY: Council Member Dora

WHEREAS, the Grand Haven Brownfield Redevelopment Authority (GHBRA) supports the proposed brownfield redevelopment project (Peerless Flats) located on multiple parcels (70-03-20-279-017, 70-03-20-278-005, 70-03-20-20-279-020, 70-03-20-278-006, 70-03-20-279-019, 70-03-20-279-008, 70-03-20-279-025, 70-03-20-279-024, 70-03-20-278-015, 70-03-20-279-023), Grand Haven, Michigan, and

WHEREAS, the City of Grand Haven Community Development Department has determined the proposed project is consistent with local development and redevelopment plans and zoning ordinances, and

WHEREAS, the Peerless Flats project will create a new residential development with an amenity building and outdoor pool, and

WHEREAS, to complete the Peerless Flats project it will require an estimated \$1,800,000 of Brownfield Grant and Loan Eligible Activities; and

WHEREAS, the GHBRA desires to assist the Developer to alleviate the costs of the Eligible Activities by applying to the Michigan Department of Environment, Great Lakes, and Energy (ELGE) for a Grant and Loan in the total amount up to \$1,800,000 (up to \$900,000 grant and up to \$900,000 loan) dependent on project costs and available funding, and

WHEREAS, the GHBRA will provide a complete Brownfield Redevelopment Grant and Loan application to EGLE for consideration, and

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WHEREAS, if the GHBRA is awarded a grant and loan from EGLE the GHBRA will enter into agreements with EGLE and the Developer specifying the terms and conditions under which the grant and or loan will be used to assist the Developer with the Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City of Grand Haven and Grand Haven Brownfield Redevelopment Authority (GHBRA) supports an application submitted for a Brownfield Redevelopment Grant and Loan to the Michigan Department of Environment, Great Lakes, and Energy (ELGE) to assist with the brownfield redevelopment project known as Peerless Flats in Grand Haven, Michigan (Legal Description Included as Attachment A).
2. The GHBRA as a sub-unit of the City of Grand Haven will accept the Grant and Loan and is committed to repay the actual expenditures of the Brownfield Redevelopment Loan, per a loan agreement, if approved by EGLE, up to \$900,000 to be issued to and managed by the GHBRA, conditional upon the execution of a Grant and Loan Agreement with the Project Developer.
3. The City of Grand Haven concurs with the Community Development Department that the proposed project is consistent with local development and redevelopment plans and zoning ordinances.

YEAS: Cummins, Scott, Fritz, Dora, and Monetza

NAYS: NONE

ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN

)SS.

COUNTY OF OTTAWA

I, the undersigned, the duly qualified and acting Clerk of the City of Grand Haven, County of Ottawa, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Grand Haven at a regular meeting held on the 1st day of March 2021, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 1st day of March 2021.


Linda L. Browand, City Clerk

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Exhibit A

Description of Property from Commitment No 252772LANS, Dated August 21, 2018, by Translation Title Agency of Michigan

Parcel 1-A: 70-03-20-278-015 (encompasses 1-a though 1-c)

Entire Lots 89 through 92, inclusive; entire lots 129 through 132, inclusive; the North 11 feet of the East 1/2 of Lot 169; the South 33 feet of the East 1/2 of Lot 170; and the North 1/4 of Lot 170 and entire Lot 171, Original Plat of the Village (now City) of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 1.

Parcel 1-B:

The South 55 feet of the East 1/4 of Lot 169; the West 1/4 of Lot 169; the Southwest 1/4 of Lot 170; and the East 1/4 of Lot 172, Original Plat of the Village (now City) of Grand Haven, Ottawa County, Michigan as recorded in Liber 1 of Plats, Page 1.

Parcel 1-C:

The West 1/4 of Lot 172, Original Plat of the Village (now City) of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 1.

Parcel 2: 70-03-20-278-006

Lot 171, Original Plat of the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, on Page 1.

Parcel 3: 70-03-20-278-005

The Eastern 1/4 of Lot 172 of the Original Plat of the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 1

Parcel 4: 70-03-20-279-023

Those parts of Lot 1, Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan as recorded in Liber 1 of Plats, Page 58, described as:

1. Commencing at the Northeast corner of Lot 7, Block 5, Akeley's Addition to the City of Grand Haven and running thence North 23 degrees 13 minutes East 85.4 feet along the Westerly line of Lots 4 and 3 of said Block 5; thence North 85 degrees 54 minutes West 34.91 feet; thence South 23 degrees 13 minutes East 74.0 feet to the Southerly line of said Lot 1; thence South 66 degrees 47 minutes East 33.0 feet to the place of beginning
2. Commencing at the North line of Lot 7, Block 5, Akeley's Addition to the City of Grand Haven, 33 feet Westerly of the Northeast corner of said Lot 7, North 23 degrees 13 minutes East 74.0 feet; then North 89 degrees 36 minutes West 35.5 feet; thence South 23 degrees 13 minutes West 60.8 feet; thence South 66 degrees 47 minutes East 33 feet to the place of beginning.
3. Commencing at a point on the South line of Lot 1, Block 5, Akeley's Addition to the City of Grand Haven, 99.23 feet Northwesterly from the Southeast corner of Lot 1; thence Northwesterly 84.06 feet to the South right of way line of Harbor Drive; thence Northeasterly along the arc of a curve to the right which has a radius of 936.68 feet to a point on said right of way line that is 44.37 feet Northeasterly of the point of beginning; thence Southwesterly parallel with the East line of Lot 1 to the point of beginning.
4. The West 33.0 feet of the East 99.0 feet of Lot 1, Block 5, Akeley's Addition to the City of Grand Haven, lying South of Madison Street (now Harbor Drive).

AND

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That part of Lot 4, Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan as recorded in Liber 1 of Plats, Page 58, described as beginning at the Northwesterly corner of Lot 4 and proceeding thence Easterly along the Northerly line of Lot 4, 88 feet; thence Southerly at right angles and parallel to the Westerly line of Lot 4, 58 feet; thence Westerly and parallel to the Northerly line of Lot 4, 44 feet; thence Southerly and parallel to the Westerly line of Lot 4, 8 feet, to the Southerly line of Lot 4; thence Westerly along the Southerly line of Lot 4, 44 feet to the Southwest corner of Lot 4; thence Northerly along the Westerly line of Lot 4, 66 feet to the point of beginning; AND the Southerly 8 feet of the Easterly 88 feet of Lot 4, Block 5, Akeley's Addition to the City of Grand Haven, as recorded in Liber 1 of Plats, Page 58.

AND

The Easterly ½ of Lot 6, Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan as recorded in Liber 1 of Plats, Page 58.

AND

Entire Lots 7, 8, and 9, Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 58.

AND

That part of Lot 10, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 58, lying Southerly of the Southerly right of way line of the Madison-Water Street connection (now Harbor Drive).

Parcel 5: 70-03-20-279-017

The Westerly 1/2 of Lot 6, Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 58.

Parcel 6: 70-03-20-279-020

The South ½ of Lot 5, Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 58.

Parcel 7: 70-03-20-279-019

The North ½ of Lot 5, Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 58.

Parcel 8: 70-03-20-279-008

The Easterly 1/3 of Lot 4 except a strip 8 feet wide off the South side thereof in Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 58.

Parcel 9: 70-03-20-279-025

The Southerly ½ of Lot 3, Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats of Page 58, being the Southerly 33.00 feet in width of Lot 3, the Northerly line parallel with the Southerly line.

Parcel 10: 70-03-20-279-024

Lot 3, Block 5, Akeley's Addition to the City of Grand Haven, Ottawa County, Michigan, as recorded in Liber 1 of Plats, Page 58, lying Southerly of Harbor Drive but excepting the Southerly 33 feet thereof.

Surveyed as Description:

Parcel 1, Surveyed as Description:

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Land located in Section 20, Town 8 North, Range 16 West, City of Grand Haven, Ottawa County, Michigan described as: All of Lots 89, 90, 91, 92, 129, 130, 131, 132, 169, 170, 171, and 172 of the Original Plan of the City of Grand Haven.

Parcel 2, Surveyed as Description:
Land located in Section 20, Town 8 North, Range 16 West, City of Grand Haven, Ottawa County, Michigan described as: All of Lots 1, 3, 4, 5, 6, 7, 8, 9 and 10 of Block 5, Akeley's Addition to the City of Grand Haven.

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Attachment C

**CITY COUNCIL
CITY OF GRAND HAVEN
Ottawa County, Michigan**

Council Member Fritz, supported by Council Member Dora, moved the adoption of the following ordinance:

ORDINANCE NO. 2021-03

AN ORDINANCE TO APPROVE THE AMENDMENT OF THE GRAND LANDING PLANNED DEVELOPMENT LANDSCAPE PLAN ALONG THE EASTERN EDGE OF THE DEVELOPMENT, ADJACENT TO US-31.

THE CITY OF GRAND HAVEN ORDAINS:

Section 1. **Approval of Project.** Pursuant to subsection 40-421.07 of the City of Grand Haven Zoning Ordinance, the amendment to the Grand Landing Planned Development is approved. The amendment includes the following document, which is incorporated by reference and attached as **Exhibit A**:

A. Landscape Plan, revised January 15, 2021.

Section 2. **Findings.**

On the basis of the discussion had by the Planning Commission as reflected in the minutes of January 12, 2021, and on the basis of the discussion had by the City Council, the City Council finds that the revised landscape plan will provide an appropriate level of screening and will be compatible with adjoining properties and the general area in which the property is located.

Section 3. **Conditions.**

1. Approval from MDOT is required because the majority of proposed trees are located on State of Michigan property adjacent to US-31.
2. Phasing of plantings are approved as follows: 7 new trees in 2021 on the north end and 7 new trees in 2023 on the south end.

Section 4. **Effective Date.** This Ordinance shall take effect twenty (20) days after its adoption or upon its publication in a newspaper of general circulation in the City, whichever is later.

YEAS: Council Member(s) Scott, Fritz, Dora, Cummins, and Monetza

NAYS: Council Member(s) NONE

ABSTAIN: Council Member(s) NONE

ABSENT: Council Member(s) NONE

APPROVED: March 1, 2021

I certify that this ordinance was adopted at a meeting held on March 1, 2021.


Linda L. Browand, City Clerk

Introduced: February 15, 2021

Adopted: March 1, 2021

Published: March 16, 2021

Effective: March 21, 2021

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Proposed Lawn Areas
2021 Redbud and Flowering Dogwood (7)
2023 Redbuds only (7)

Current Quaking Aspen (13) and Green Spruce (3) in Berm, 8 Pine Trees along Adams St – Not changing

Exhibit A
Grand Landing Revised Landscape Plan
January 15, 2021



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Attachment D

**CITY COUNCIL
CITY OF GRAND HAVEN
Ottawa County, Michigan**

Council Member Fritz, supported by Council Member Dora, moved the adoption of the following ordinance:

ORDINANCE NO. 2021-04

AN ORDINANCE TO APPROVE THE AMENDMENT OF THE GRAND PLAZA PLANNED DEVELOPMENT TO INCLUDE MEDICAL MARIJUANA PROVISIONING CENTER, MEDICAL OFFICE, AND PROFESSIONAL SERVICE ESTABLISHMENT AS ALLOWABLE USES AND THE PRELIMINARY DEVELOPMENT PLAN FOR VACANT LAND EAST OF 951 JACKSON AVENUE (PARCEL #70-03-20-199-021).

THE CITY OF GRAND HAVEN ORDAINS:

Section 1. Approval of Project. Pursuant to subsection 40-421.07 of the City of Grand Haven Zoning Ordinance, the amendment to the Grand Plaza Planned Development and the preliminary development plan for parcel 70-03-20-199-021 are approved. The preliminary development plan includes the following documents, which are incorporated by reference and attached as **Exhibit A**:

- A. Application received November 9, 2020;
- B. Narrative titled Levels Provisioning Center Narrative;
- C. Site Plan prepared by Dryer Architectural Group with a revision date of January 8, 2021 and received by the City on January 11, 2021; and
- D. Building Rendering prepared by Dryer Architectural Group, received by the City on November 25, 2020.

Section 2. Findings.

On the basis of the discussion had by the Planning Commission as reflected in the minutes of January 12, 2021, and on the basis of the discussion had by the City Council, the City Council finds that the PD meets the purposes of Section 40-421.01; meets the qualifying conditions of Section 40-421.02; meets the development requirements of Section 40-421.03.A, is a permitted use per B, meets the guidance standards of C; meets the standards of Section 40-421.05; and meets the standards of Section 40-421.06.

Section 3. Conditions.

1. The project will be constructed in three (3) phases.
2. Exterior cladding materials and transparency shall match the requirements of the Commercial District.
3. Signage requirements shall match the requirements of the Commercial District.
4. A cross-access and joint maintenance agreement is required between the subject property and 951 Jackson Avenue because landscaping and drive aisles cross the property lines.
5. A special land use permit for a Medical Marijuana Provisioning Center is required and will be considered at the same time as the final development plan and sensitive areas overlay review.
6. Allowable land uses to be added to the Grand Plaza Planned Development list of allowable land uses include Medical Marijuana Provisioning Center (special land use), Medical Office (permitted use), and Professional Service Establishment (permitted use).

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Section 4. Effective Date. This Ordinance shall take effect twenty (20) days after its adoption or upon its publication in a newspaper of general circulation in the City, whichever occurs later.

YEAS: Council Member(s) Fritz, Dora, Cummins, Scott, and Monetza

NAYS: Council Member(s) NONE

ABSTAIN: Council Member(s) NONE

ABSENT: Council Member(s) NONE

APPROVED: March 1, 2021

I certify that this ordinance was adopted at a meeting of the Grand Haven City Council held on on March 1, 2021.



Linda L. Browand, City Clerk

Introduced: February 15, 2021

Adopted: March 1, 2021

Published: March 16, 2021

Effective: March 21, 2021

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**Exhibit A
Plan Documents**

GRAPIDS 57570-14 486110v2

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700¹² CX#233

1500° CK # 35

225° # 334

NOV 09 2020

PLANNED DEVELOPMENT APPLICATION

Community Development Department, City of Grand Haven
519 Washington Avenue, Grand Haven, MI 49417
Phone: (616) 935-3276 Website: www.grandhaven.org

1. Project Information

Address/location of property: Jackson St (vacant land) a block 951 Jackson CITY OF GRAND HAVEN

Name of Development: "Levels" Parcel #: 70-03-21-199-021 Current Use: Vacant Land Area in Acres: 1.42 Current Zoning District: PD Proposed Use: Marijuana Provisioning Center Zoning of adjacent properties: PD

2. Applicant

Name: <u>Alister Bolts & Rebecca Neil</u>	3. Property Owner Name: <u>John Phillips</u>
Company: <u>Level Up Holdings LLC</u>	Company: <u>NA</u>
Address: <u>52041 Peckville Dr.</u>	Address: <u>1113 Marion Ave</u>
Phone #: <u>248-918-8143</u>	Phone #: <u>615-335-1693</u>
Email: <u>ebolts4@gmail.com</u>	Email: <u>Herdinhousedesigns@hotmail.com</u>

4. Required Attachments

- Application (14 copies)
- Preliminary Development Plan (14 copies)
- Narrative (14 copies)
- See Section 40-421.04.D of the City of Grand Haven Zoning Ordinance for additional details

5. Fees and Escrow Deposit:

Application Fee: \$700.00 (covers the Rezoning and Preliminary Development Plan review only)

A deposit of \$1,500 shall be collected for all Planning Commission and Zoning Board of Appeals cases where it is expected that costs above staff time and one public hearing publication will be incurred. These expenses include additional public hearing notifications, attorney fees, engineering or surveying fees, or other special studies. Should expenses total more than the deposit, the applicant will be billed by the City for the additional costs, or additional escrow payment shall be required to complete the Planning Commission or Zoning Board of Appeals process. Should expenses total less than the deposit received, excess amounts shall be returned to the applicant.

By signing below, permission is granted for city staff, including Planning Commissioners, to enter the subject property for purpose of gathering information to review this request. In addition, the applicant agrees to perform the described work in accordance with all applicable Sections of the City of Grand Haven Code of Ordinances. Signer will insure that all inspection requests are made a minimum of 24 hours prior to the requested time.

Signature of Applicant: Alphonse Balis Date: 11/91 2030
Print Name: Alphonse Balis
Signature of Owner: John Phillips Date: 11/91 2030
Print Name: John Phillips

Office Use Only
Case #: _____ Date Received: _____ Paid (Y/N): _____



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Levels Provisioning Center Narrative

1001 Jackson Street

The property of 1001 Jackson St. presents a great opportunity to the City of Grand Haven to have a multi-tenant strip center on previously undeveloped vacant land with a medical cannabis provisioning center serving as the anchor tenant. This location offers a welcoming introduction to a newly booming industry that the majority of our community voters approved of. With a blank slate to work from; furthering the vision of our growing city, we plan to offer a beautiful establishment supplying our community with state and municipally regulated cannabis medicine. With existing commercial properties surrounding the location, the Jackson property, currently zoned as Planned Development, will be best suited to join the commercial district in offering a unique service. Immediate surrounding properties including; Lake Michigan Credit Union, Stacks, Home Depot and The Lighting Corner have been contacted and made aware of our endeavors.

As currently standing; the property of 1001 Jackson St., offers the city of Grand Haven an opportunity for development to a longstanding vacant property. The development of this site will include blight removal, provide pedestrian accessibility, lighting, public walkways, and include furthering the vision of a complimenting district, curating an environment that will increase flow to a waterway access.

The immediate benefits provided by this development will allow for patients accessibility to their plant medicine; medical marijuana.

MULTI-PHASE PROJECT

The future of this development is proposed in 3 phases. The total area of the entire proposed buildout is 15,400 sq ft.

The 1st phase being the immediate development of our 3,200 sqft establishment; Levels Provisioning.

The 2nd phase includes 7,400 sq ft. and the 3rd phase includes 4,640 sq ft. Projection dates for Phase 2 and Phase 3 have not currently been put into place at this time.

PLANNED DEVELOPMENT

The property is currently zoned as Planned Development. We have chosen to move forward with this project as Planned Development, based on conversations we have had with the City.

We are currently in conversations with the developer, Grand Haven Hospitality, Inc, of an adjacent property that sits on the waterfront. There are plans for the developer to build a hotel

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and marina. The project is currently on hold due to financing issues. We plan to continue our conversations with them as our project and their project continues to move forward in development. We will provide correspondence with property overlay for a pedestrian walkway and traffic control.

PARKING

Our retail space for the provisioning center will be a total of 3,200 sq ft. The City of Grand Haven ordinance requires one parking spot per 150 sq ft. This means we are required to have a total of 21 parking spaces. We have 22 spaces outlined on our site plan as part of Phase 1.

LANDSCAPING

Our landscaping plan is included. All of our landscaping will comply with landscaping requirements defined by the city ordinance.

SIGNAGE

We plan to have a ground sign located on the southeast corner of the property, directly in front of the Provisioning center. There will also be wall signage on the building. The placement of our signage on the building can be seen on our elevation drawings. As retail spaces are developed in Phase Two and Three, more wall signage will be added to the building identifying the additional retail spaces. All signage will comply with the requirement set forth by the City of Grand Haven.

EGLE

Because our development is on a floodplain, we have started the review process for EGLE. Once our project is submitted, EGLE will have 90 days to reply. We plan to stay in communication with the city's planning and zoning department as this process moves forward.

STORMWATER

We will be omitting retention ponds due to the water table being 14 inches below. We will be utilizing pervious surfaces to comply with the 50 year storm calculations for the city of Grand Haven.

UTILITY PLAN

The project will be connected to the city's sewer & water lines & to the BLP for electrical services.

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DUMPSTER PLAN

For phase one of the project, we plan to use the Republic rollout cans with one recyclable rollout cans. Waste will be stored in the shipping and delivery area and rolled out on the day of pickup. We also plan to follow LARA's regulations when disposing of consumable cannabis products. After phase two of the project is complete, additional dumpsters will be added to the northeast corner of the property.

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Section 40-115.04

B.6. Applicant's statement of the expected effect on emergency service requirements, schools, utility system (gas, electric, telephone, cable, etc.), stormwater systems, automobile and truck circulation patterns and local traffic volume.

We do not anticipate for our project to have any negative impact on city services. The current site has adequate access to water and sewer lines. We also do not expect to see an increase in the demand for the school system. The site sits right off of Jackson Street, less than a quarter mile off of Beacon Boulevard. The property provides easy accessibility for medical marijuana patients who choose to shop at the retail center. We do not expect to see a larger increase of traffic, compared to what Jackson Street already sees on a daily basis. There will be no deliveries from larger semi-trucks for the medical marijuana.

B.7. A description of the proposed development and the land use proposed.

The land will be used to build a multi-tenant commercial center housing a medical marijuana provisioning center. Our goal is to build a retail center that fits the overall look and feel of the City of Grand Haven.

Sec. 40-115.06. – Review Criteria.

In the process of reviewing a site plan, the planning commission or zoning administrator shall Consider:

A. That there is a proper relationship between the existing streets and highways within the vicinity, and proposed deceleration lanes, service drives, entrance and exit driveways, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic, and that the proposed streets and access plan conform to any street or access plan adopted by the City or the Michigan Department of Transportation.

There is already an existing curb cut on the east side of the lot, directly on Jackson Street. We plan to use the existing curb cut as an entrance to the parking lot of the retail space. There will be ADA accessible parking spaces directly in front of the store. We do not anticipate any major issues or negative impact on the surrounding development.

B. That the buildings, structures, and entrances thereto proposed to be located upon the premises are so situated and so designed as to minimize adverse effects upon owners and occupants of adjacent properties and the neighborhood.

We do not anticipate creating any adverse effects on neighboring businesses, such as Lake Michigan Credit Union or the Lighting Corner. Patient accessibility to the building will be located

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on the southwest corner of the building. The entrance for secure transportation to enter our enclosed garage will be located on the east side of the building. It is an enclosed entrance, we do not anticipate any impact on the Lighting Corner.

C. That as many natural features of the landscape shall be retained as possible, particularly, where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control erosion or the discharge of stormwater.

Right now there is no landscaping on the open lot. We plan to ensure landscaping we choose will reflect and fit in with the landscaping surrounding our building.

D. That any adverse effect of the proposed development and activities emanating therefrom upon adjoining and nearby residents or owners shall be minimized by appropriate screening, fencing or walls, or landscaping.

We currently do not anticipate any adverse effects on surrounding neighboring businesses, especially given the security requirements for medical provisioning centers under state law.

E. That all provisions of this ordinance are complied with unless an appropriate variance there from has been granted by the zoning board of appeals.

The proposed site and use complies with all provisions of the ordinance and no variances are required.

F. That all buildings and structures are accessible to emergency vehicles.

Because the proposed property sits directly on Jackson street, emergency vehicles will have adequate access to all sides of the proposed development. Our building will meet all building and fire code requirements.

G. That a plan for erosion control and stormwater discharge has been approved by the appropriate public agency, and, if appropriate, the city's engineer.

All plans for erosion control and stormwater discharge will be presented as necessary.

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H. The relationship to shore and river preservation principles where appropriate.

The site is not currently located adjacent to any shores or rivers.

I. That the plan as approved is consistent with the intent and purpose of zoning to promote public health, safety and general welfare; to encourage the use of lands in accordance with their character and adaptability; to avoid the overcrowding of population; to lessen congestion on the public roads and streets; to reduce hazards to life and property; to facilitate adequate provisions for a system of transportation, sewage disposal, safe and adequate water supply, education, recreation and other public requirements; and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties; to preserve property values and natural resources; and to give reasonable consideration to character of a particular area, its peculiar suitability for particular uses and the general appropriate trend and character of land, building, and population development.

In early 2020, the City of Grand Haven passed an ordinance allowing for medical marijuana facilities to operate within city limits. Two years ago, we identified our property as a location that could pass most zoning buffers and be a suitable location for a medical cannabis provisioning center. We have adequate access to water and sewer lines. All required permits necessary to begin construction will be obtained. We expect our business to increase the property value of neighboring businesses and we promise to keep the look of our building to be consistent with surrounding properties.

Section 40-116.03 - Special Use Review Standards

1. The special use shall be consistent with the adopted City of Grand Haven Master Plan.

The proposed medical marijuana use will be a great addition to the surrounding area. The space is currently an open lot. Our project will be rolled out in a total of three phases. Each phase is outlined by color on our Site Plan.

2. The special use shall be designed, constructed, operated, and maintained to be consistent with the existing or intended character of the general vicinity and such use will not change the essential character of the area in which it is proposed.

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The proposed design of our multi-tenant commercial center will be consistent with surrounding properties and will improve the overall look of the surrounding area. We do not expect our buildout to change the existing character of the area.

3. The special use shall not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.

We do not expect our project to be hazardous or a nuisance to the community. We will have plans in place to dispose of any cannabis that does not go into the hands of the consumer and the company anticipates undertaking several security measures, including on-site video cameras and parking lot lotting, that we anticipate will improve the security of the surrounding area.

4. The special use shall be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, stormwater drainage, refuse disposal, water and sewage facilities, and schools; or persons or agencies responsible for the establishment of the proposed use shall provide adequately for such services.

Our site provides adequate access to public facilities and services.

5. The special use shall not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.

The use of our proposed facility will generate much-needed revenue to the city and will improve the overall economic health of the community.

6. The special use shall not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property, or general welfare by reason of excessive production of traffic, noise, vibration, smoke, toxic emissions, fumes, glare, or odors.

The proposed use is not expected to create excessive traffic, noise, vibration, smoke, toxic emissions, fumes, glare, or odors to the surrounding area. Consumption will not be allowed on the property. Signs will be placed on the property prohibiting onsite consumption and loitering. Security staff will be present to ensure these activities are properly enforced. The building will also be equipped with odor-controlling equipment and will meet all state and municipality requirements.

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7. The special use shall meet the intent and purpose of the zoning ordinance; be related to the standards established in the ordinance for the land use or activity under consideration; and will be in compliance with these standards.

The lot is currently zoned as planned development. We have submitted a Planned Development Application with our Special Use application to ensure the property is zoned appropriately to meet what's required according to the adopted ordinance.

8. The special use shall comply with the City of Grand Haven Code of Ordinances, as amended, including but not limited to chapter 23, nuisances, as well as any applicable state and federal laws.

The proposed special use of our property will be compliant with the City of Grand Haven Code of Ordinances and does not expect to create an ordinance.

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Sec. 40-543a.B. Medical Marihuana Facility Special Land Use Regulations and conditions.

1. An applicant must obtain a lottery position from the City of Grand Haven prior to submitting a special-use application.

- 1001 Jackson Street received a conditional approval for a medical marijuana facility.
- 1001 Jackson was drawn second in the City of Grand Haven draw.

2. An applicant must demonstrate that they have been pre-qualified for a medical marihuana state operating license from the State of Michigan.

Level Up Holdings was pre-qualified to operate a medical marijuana provisioning center on (date). The amendment to add Rebecca Neil as a partner on the existing pre-qualified application was approved by the Michigan Marijuana Regulatory Agency on November 5, 2020. All documentation has been included as part of our application and the amendment was sent to Community Development Manager, Jennifer Howland.

3. Buffers from sensitive land uses as described in this subsection.

- A. There shall be a minimum separation distance of one thousand (1,000) linear feet from K-12 schools and libraries.
- B. There shall be a minimum separation distance of five-hundred (500) linear feet from the following land uses:
 - a. Parks or parkland.
 - b. Places of public assembly specifically for worship purposes.
 - c. State-licensed day care facilities, including commercial day care, day care facility, and group day care.
 - d. State-licensed substance use disorder programs
- C. Buffers shall generally be measured from the nearest lot line of the lot proposed for the medical marihuana facility to the nearest lot line of any of the above sensitive land uses.
- D. If a medical marihuana facility is located in compliance with all applicable minimum separation distances and then a sensitive land use is subsequently located within any applicable minimum separation distance, the medical marihuana facility is not thereby rendered non-compliant with this subsection 3.

The Proposed facility does not have any sensitive uses within the required separation buffers and is eligible for use as a marijuana facility.

4. Hours of operation are limited to 7am to 9pm daily.

Hours of operation will be 7:00 am to 9 pm Monday through Sunday.

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5. The minimum number of off-street parking spaces shall be as follows:

- A. Provisioning center: One (1) space per One hundred fifty (150) square feet GFA.
- B. Grower: One (1) space per employee on largest shift plus one (1) space per two thousand (2,000) square feet GFA.
- C. Processor: One (1) space per employee on largest shift plus one (1) space per two thousand (2,000) square feet GFA.
- D. Secure transporter: Five (5) spaces plus one (1) per employee on the two (2) largest shifts.
- E. Safety compliance facility: One (1) space per employee of the largest shift plus five (5) visitor spaces.

The parking lot has sufficient parking for the proposed use.

6. Where a parking area abuts an existing residential use, the parking area must be screened using appropriate and effective screening methods as determined by the Planning Commission, but shall not be less than the requirements of Article VIII Landscaping.

Our property area does not abut an existent residential use.

7. Outdoor storage of materials, substances, products or component parts is not permitted.

No outdoor storage is proposed.

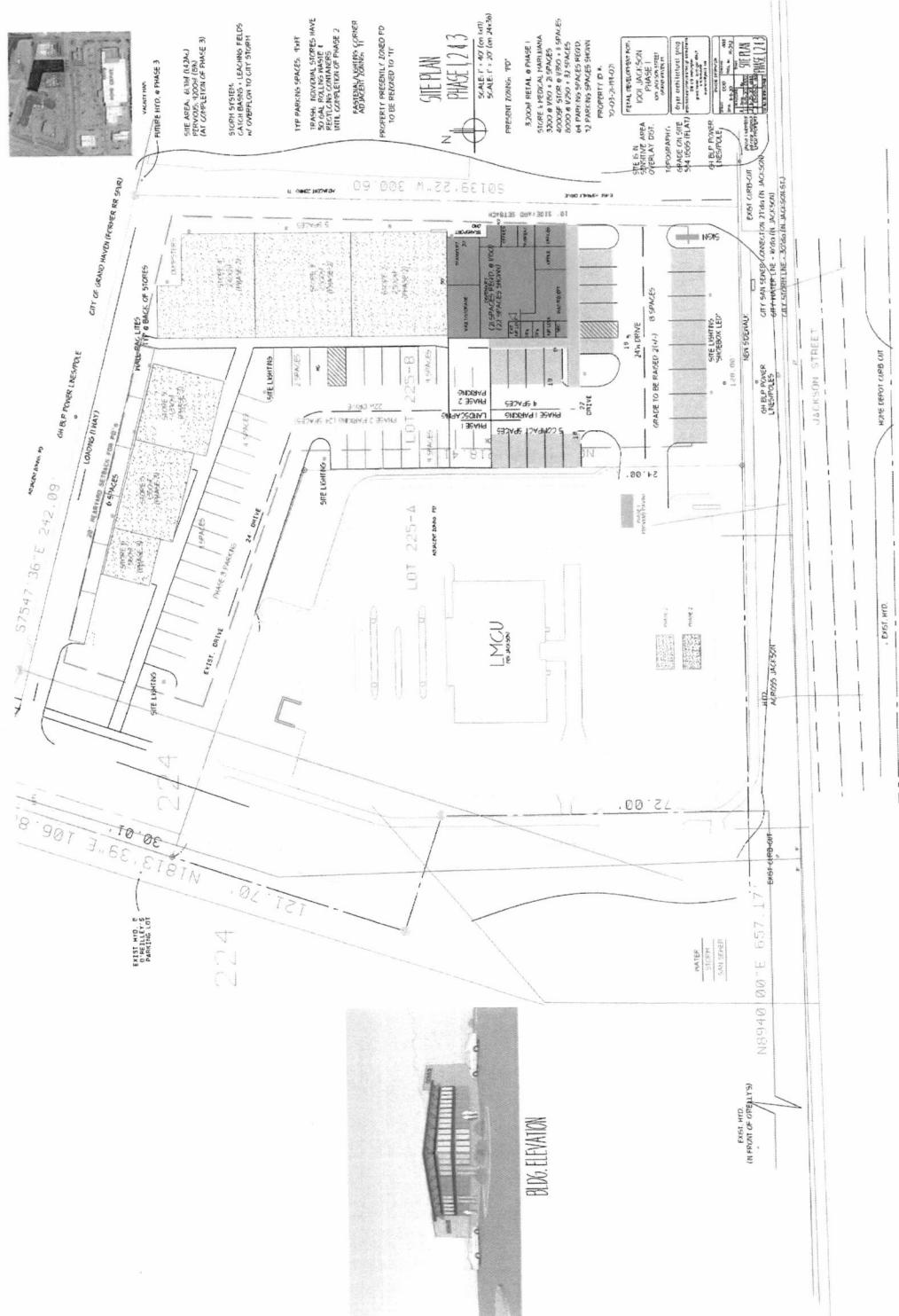
8. The applicant shall disclose any hazardous, flammable, or corrosive materials proposed to be stored, used or handled on the site. Use and handling shall be conducted in accordance with applicable state and federal requirements.

No hazardous materials will be used in association with this use.

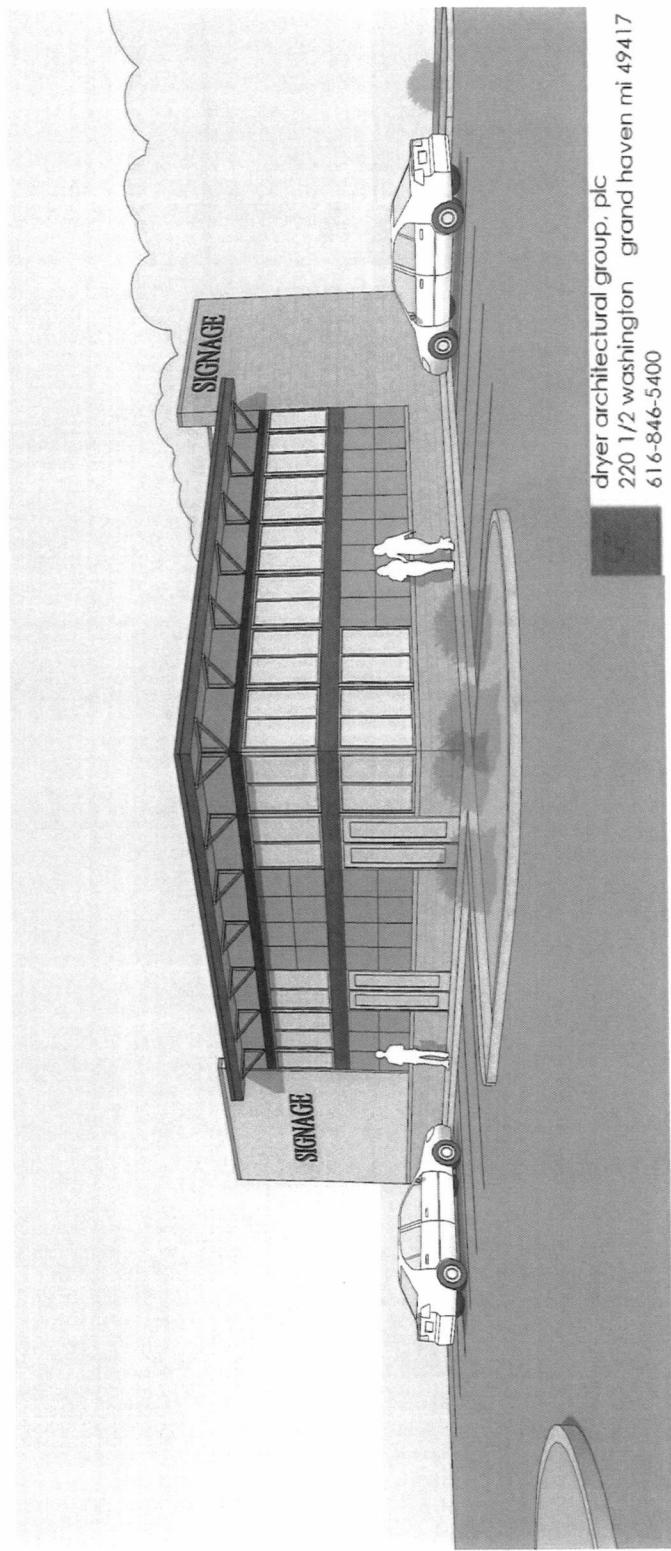
9. The applicant must obtain an annual Medical Marijuana Facilities Permit from the City of Grand Haven to maintain the special use permit.

The applicant will obtain all necessary State and local permits prior to operating

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dryer architectural group, plc
220 1/2 washington grand haven mi 49417
616-846-5400