

REQUEST for PUD2501

REQUEST FOR PRELIMINARY PUD APPROVAL AND REZONING

(PUD2501) (Ordinance No. 2025-08) Rubicon, LLC, is requesting (rezoning from LDR to PUD) approval for preliminary planned unit development for 44th St. & 8th Ave. PUD, a mixed use PUD with residential, commercial and office uses, on 12.11 acres, on parcels of land described as P.P. # 70-14-25-100-051 and #70-14-25-100-052, located at 6124 and 6110 8th Ave., Georgetown Township, Ottawa County, Michigan.

The request is for a mixed use planned unit development on 12.11 acres, for 2.2 acres of office uses and 9.89 acres of residential uses. The proposal calls for 27 units in multiple family dwelling buildings, with a density of 2.73 units per acre, and for two office buildings. The parcels are currently zoned LDR and the area is designated as LDR on the Future Land Use Map. However, specific language in the Master Plan addresses future possible development in this area, stating that higher density and commercial uses would be allowed with specific conditions.

Aerial View



SITE PLAN



SUMMARY:

As per Sec. 22.4, a pre-application conference was held in June 2025 for the purpose of exchanging information, providing guidance to the applicant and determining the eligibility of the request for consideration as a PUD. Further, the Township advised the applicant of the conformance of the PUD concept with the intent and objectives of a PUD, specifically that the PUD appears to qualify under the minimum requirements of Sec. 22.2, Qualifying Conditions, and that it is substantially consistent with the Master Plan.

1. **Sec 22.2 QUALIFYING CONDITIONS.** Any development that fails to meet the following qualifying conditions, at a minimum, shall not be considered for the PUD District:
 - a. **Acres Requirement:** Although the ordinance stipulates that there shall be a minimum of 20 acres for a mixed-use PUD, the ordinance allows for a lesser amount if the PUD substantially provides for the intent of a PUD.

Sec. 22.2(A) requires a minimum of 20 acres for a mixed-use PUD. The proposal calls for three buildings with attached units for residential uses and two buildings for commercial uses.

The ordinance states that the Planning Commission and Township Board may consider a PUD with lesser acreage if it is clear that the proposed PUD substantially provides for the intent of a PUD as listed in this Chapter.

The intent of a PUD is as follows:

Sec. 22.1 INTENT.

The use of land and the construction and use of buildings and other structures as Planned Unit Developments in Georgetown Township may be established as distinct zoning districts when approved by the Township Board in accordance with the procedures specified herein. It is the intent of this District to provide for flexibility in the regulation of land development; to encourage innovation in land use and variety in design, layout, and type of structures; to achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities; to encourage useful open space; to provide for enhanced site and building architectural features; and to create better living, working, and shopping environments. In order to accomplish these objectives, this Chapter permits flexibility to the conventional requirements found in other Zoning Districts.

The Planning Commission and Township Board should consider if this proposal substantially provides for the intent of the PUD as stated in the ordinance with 12.11 acres, which is less than the required 20 acres. Note that this site is constrained by wetlands. Plus, consideration should also be given to the language in the Master Plan on page 41 which states the following for the 44th St. Corridor:

The future land use recommendation for the land in the vicinity of 44th St. between Kenowa and Chicago Dr. has been established as a pattern, including the following:

- *providing for commercial uses only at the extreme ends of the corridor, at Kenowa Ave. and near the Chicago Dr./Port Sheldon Rd. intersection, and at the 8th Ave. intersection, mid-way through the corridor. The southeast corner of 44th St. and 8th Ave. may be developed as a PUD with low intense commercial or residential uses if the development complies with the following: 1) adequate buffering is provided to the adjacent neighboring LDR district; 2) the site is serviced by public water and sanitary sewer; and 3) the site is developed in accordance with the results of a traffic study in regard to allowable driveway locations, driveway design and configuration, road improvements such as right turn lanes, intersection signal improvements and/or timing changes, or other improvements.*

Note the following related to the stipulations specifically stated for this area in the Master Plan:

- 1) Adequate buffering is to be provided adjacent to the neighboring LDR district. **The proposed plan meets this requirement.**
- 2) The site is served by public water and sanitary sewer. **The proposed plan meets this requirement.**
- 3) The site is developed in accordance with the results of a traffic study. **The applicant hired Fishbeck to conduct a Traffic Impact Study and it was provided. The proposed plan complies with the recommendations of this plan and the recommendations of the Ottawa County Road Commission.**

- b. **Utilities:** All PUD's shall be served by public water and sanitary sewer facilities. Stormwater must be coordinated with the county drain commission. The DPW Director stated that the site is already served by public water, and sanitary sewer would be available if an easement was obtained from the property to the west across 8th Ave.

Evidence has been provided that the proposed plan meets this requirement.

- c. **Land Ownership:** The PUD application must be filed by the landowner, jointly by the landowners, or by an agent. If the application is filed by an agent(s) or other interested party, written approval from the landowner(s) must also be filed.

Written approval from the landowner of both # P.P. # 70-14-25-100-051 and #70-14-25-100-052 has been provided.

- d. **Master Plan:** The proposed uses of the PUD shall substantially conform to the Township Master Plan or, if not, represent land use policy that is determined by the Township Board to be a logical and acceptable deviation from or change to the Township Master Plan.

As per the specific language in the Master Plan for this particular area, the following was provided for compliance with this qualifying condition:

- The site is serviced by public water and sanitary sewer; **as per the DPW Director, the site is served by public water and sewer could be provided through an easement from the property to the west across 8th Ave. This has been provided.**
- The site is developed in accordance with the results of a traffic study in regard to allowable driveway locations, driveway design and configuration, road improvements such as right turn lanes, intersection signal improvements and/or timing changes, or other improvements. Good access management practices should be utilized to minimize access to this road and to encourage the movement of vehicular traffic along this corridor.

The traffic study was provided, and the applicant indicates that the plan follows the recommendations of the study and of the Ottawa County Road Commission.

- The density as per the Master Plan for the LDR district is 2 to 3 units per acre.

The plan proposes 27 residential units for 9.89 acres of residential area. This includes the wetlands which have been made usable with pedestrian walkways, a boardwalk and picnic tables. No deviation is requested for density.

MASTER PLAN TEXT

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Another roadway that will continue to develop into a major corridor is 8th Ave. This roadway provides access to the M-6 South Beltline. Access management should be practiced along this area to provide for uninterrupted traffic flow as much as possible.

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44th St. Corridor

The future land use recommendation for the land in the vicinity of 44th St. between Kenowa and Chicago Dr. has been established as a pattern, including the following:

- providing for commercial uses only at the extreme ends of the corridor, at Kenowa Ave. and near the Chicago Dr./Port Sheldon Rd. intersection, and at the 8th Ave. intersection, mid-way through the corridor. The southeast corner of 44th St. and 8th Ave. may be developed as a PUD with low intense commercial or residential uses if the development complies with the following: 1) adequate buffering is provided to the adjacent neighboring LDR district; 2) the site is serviced by public water and sanitary sewer; and 3) the site is developed in accordance with the results of a traffic study in regard to allowable driveway locations, driveway design and configuration, road improvements such as right turn lanes, intersection signal improvements and/or timing changes, or other improvements.
- providing for a mix of low-to-medium density residential uses along the corridor, with site design which minimizes access driveways onto 44th St.



Good access management practices should be utilized to minimize access to this road and to encourage the movement of vehicular traffic along this corridor.

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LDR-Low Density Residential

This category includes land primarily developed for detached single-family residential use in the LDR and LMR zoning districts. Residential development in this land use category is intended to be served by public water and sewer services.

Since the Future Land Use Map anticipates future urban growth in areas not currently served by public utilities, it is recognized that this growth will be contingent on expansion of utility services through main extensions. In some cases, development of attached forms of housing may be appropriate, at low densities, in response to site specific circumstances, such as wetland, wooded lots, steep slope, floodplain, or other natural features constraints. Overall development density in this category is assumed to be two/three dwelling units per acre.

Mixed Use PUD

Development in this category includes a mix of commercial, and/or residential and/or industrial uses intended to be served by public water and sewer services. In some cases, development of attached forms of housing may be appropriate, at low densities, in response to site specific circumstances, such as wetland, steep slope, floodplain, or other natural features constraints. The intention is to provide for flexibility in the regulation of land development and to encourage innovation in land use and variety in design, layout and type of structures, as well as to encourage open space and enhanced site and building architectural features.

MDR-Medium Density Residential

Development in this category includes multiple family residential uses, up to a maximum density of seven units per acre. Development in this category includes attached single-family condominiums as well as townhouse condominiums. It might also include manufactured housing developments approved in accordance with Township zoning regulations. Average gross density in this land use category is assumed to be five dwelling units per acre.

- e. **Pedestrian:** The PUD must provide for integrated, safe and abundant pedestrian access and movement within the PUD and to adjacent properties. (In addition, the township has a stand alone ordinance covering certain sidewalk requirements)

A path is shown throughout the site, including a mulch walkway trail over the wetlands. A picnic area is also provided for pedestrians along the mulch walkway trail. A sidewalk was provided adjacent to 8th Ave. and one already exists adjacent to 44th St.

- f. **Architecture:** The PUD should provide for coordinated and innovative visually appealing architectural styles, building forms and building relationships.

A rendering of the Townhouse buildings was provided. The narrative states that they understand that they will be required to create a compatible design with the residential buildings and the office buildings. Note that all buildings are required to encompass a theme as directed in the language of the Master Plan. That would be stated as a condition of approval and means that the office building SHALL be architecturally similar to the residential buildings.

Due to the information provided at the previous meeting when it was noted that in no cases since the adoption of the ordinance requiring garages in 2001 have the garages been waived or variances granted for the elimination of the requirement of the garages, other than for subsequent phases (not the initial phase) for Campus View apartments (which is student housing), garages are now provided for all of the residential units. No deviation is requested for the elimination of the garage requirement because garages

have been provided. Minimum 200 SF attached garages on the residential units will be a condition of approval.

Pages 30 and 31 of Master Plan language state the following:

General Land Use Policies

Planned Unit Developments and open space clustering are possible development tools that would provide multiple densities of residential, along with possible commercial uses with flexible zoning requirements.

Planned unit developments shall be consistent with the intent of a PUD as listed in the Georgetown Township Zoning Ordinance, including, to encourage innovation in land use and variety in design, to encourage useful open space, and to provide for enhanced site and building architectural features. Such developments shall provide innovation and desirable design elements. Although the intention is not to direct a developer toward any specific details, PUDs with uses other than solely single family residences shall, at a minimum, contain the following elements:

- An overall design theme with common coordinating architectural elements contained in all buildings and structures as well as signs, rooflines, forms and materials;
- A coordinated color scheme and coordinated textures of materials;
- Drive-through elements and stand-alone structures shall have design elements common to principle structures;
- Creative, desirable and useable open space;
- Buildings and structures designed to provide the best or front face to any adjoining public streets.

- g. **Traffic:** The PUD must provide for safe and efficient vehicular movements within, into and off of the PUD site. In addition, the PUD should integrate traffic calming techniques, along with suitable parking lot landscape islands and other similar techniques to improve parking lot aesthetics, storm water management, traffic flow and vehicular/pedestrian safety.

A traffic study was submitted as per the language in the Master Plan.

Also note that Sec. 26.3 states that the approving authority shall determine driveway access to the streets listed in Chapter 24 footnote (b). Both 44th St. and 8th Ave. are listed in this footnote. Therefore, the Planning Commission and Township Board shall determine if the proposed accesses on 44th St. and 8th Ave. should be approved, taking into consideration the recommendations of the traffic study and the recommendation of the Ottawa County Road Commission.

The Fire Code requires all parking lots to provide turnarounds large enough for all fire trucks to be able to turn around. Plans for these turnaround must be approved by the Fire Inspector. A turnaround has now been provided.

The Fire Inspector has reviewed these plans and approved them.

Parking calculations are correct for the residential buildings and appear to be adequate for the commercial buildings. However, parking will be reviewed for the exact uses and specific requirements at the time a Use Zoning Permit is submitted by tenants applying to occupy the space.

h. Open Space Requirements:

1. The PUD development shall contain usable open space in an amount equal to at least twenty (20) percent of the total PUD site. The Planning Commission may consider a PUD with a lesser amount of open space if it is clear that the proposed PUD substantially provides for the intent of a PUD as stated in this Chapter. It is noted that open space is a very important element of a PUD and reductions to the open space provision should be granted only as a result of specific, clearly documented reasons (i.e. the PUD may be located on a relatively small site in an area where a 20% open space provision would detract from building continuity, historic preservation efforts, etc.)
2. Such open space to be considered usable shall not include required yards (required yards need to be individually determined for each PUD project) or buffers, parking areas, drives, rights-of-way, utility or road easements, storm water detention ponds, wetlands (unless determined to be useable by the Planning Commission due to the addition of interpretive boardwalks/walkways, etc. provided in and through the wetland) and structures (Unless the structures are part of the open space i.e. gazebos, etc.).
3. Such open space shall be permanently set aside for the sole benefit, use, and enjoyment of present and future occupants of the PUD through covenant, deed restriction, open space easement, or similar legal instrument acceptable to the Township; or, if agreed to by governmental agency, the open space may be conveyed to a governmental agency for the use of the general public.

The plan states that 73.4% of the site is usable open space. An interior mulch walkway trail through the wetlands was provided with three picnic tables. A map is shown to depict the open space area, and the General Notes provide the calculation.

The Planning Commission and Township Board shall determine if the interior wetland (which encompasses most of the site) with the walkway and three picnic tables meets this usable open space requirement.

Sec. 22.3 PERMITTED USES..

Any use permitted by right or special land use in any District may be approved within a PUD.

The use of multifamily dwellings appears to be consistent with the Master Plan given the overall site density. The applicant is requesting CS uses for the commercial portion of the PUD. The Master Plan states that the site can be developed with “low intense commercial” uses. The Planning Commission shall determine if allowing CS uses would be consistent with the Master Plan’s language of “low intense commercial” uses.

An option would be to allow CS uses, with the following as possible exceptions; drive-through facilities, mortuaries and funeral homes, assembly buildings, vehicle service station, vehicle repair, outdoor recreation facilities, outdoor storage, and open air business.

The following is the Future Land Use Map related to the proposed PUD development.



Legend	
	Water Bodies
	Parcel
Future Land Use Code, Land Use Value	
	Ag, Agriculture
	CC, Community Commercial
	HC, Highway Commercial
	HDR, High Density Residential
	I, Industrial
	LDR, Low Density Residential
	MDR, Medium Density Residential
	NC, Neighborhood Commercial
	OS, Office Service
	PSP, Public Semi Public
	PUD Com, PUD Commercial
	PUD Mix, PUD Mix Use
	PUD Res, PUD Residential
	REC, Recreational Open Space

CONCLUSION.

The determination is made that the proposed PUD complies with the requirements of the Zoning Ordinance other than in one regard: 1) the acreage is 12.11 acres and 20 is required for a mixed use development unless the PUD substantially provides for the intent of a PUD.

This determination is based on the following:

1. Sec. 24.4 of the Zoning Ordinance states that at the pre-application conference, the Township shall provide the applicant with information regarding:

a. The conformance of the PUD concept with the intent and objectives of a PUD.

The PUD concept appears to conform with the intent and objectives of a PUD as stipulated in Sec. 22.1

b. If the PUD is substantially consistent with the Master Plan.

The proposed PUD concept is substantially consistent with the Master Plan, specifically:

- **The proposed density is 2.73, which complies with the Master Plan stipulation that the low density provide for two to three units per acre.**
- **The proposal complies with the explicit language that pertains to this specific area in that a traffic study was provided and the plan complies with the recommendations, the site is being developed as a PUD, adequate buffering is provided for the neighboring LDR area, and the site is served by public water and sanitary sewer.**
- **The site provides for less intense commercial uses (CS) and low density residential uses (as noted with the density of 2 to 3 units per acre).**

c. Whether it appears to qualify under the minimum qualifying conditions in Sec. 22.2.

The proposal appears to qualify under the minimum qualifying conditions, except for acreage size. See the review of the qualifying conditions below.

- Acreage requirement: a mixed use PUD is required to have a minimum of 20 acres, unless it is clear that the PUD substantially provides for the intent of a PUD.

This is a deviation that would have to be recommended for approval by the Planning Commission and approved by the Township Board. Consideration should also be given to the language in the Master Plan specifically pertaining to this site that encourages development of this site as a PUD, in addition to the constraint of wetlands.

- Utilities. Met.
- Land ownership. Met
- Master Plan. Appears to be met.
- Pedestrian. Appears to be met.
- Architecture. Some architectural rendering were provided. Coordinated architecture would be required as a condition of approval.
- Traffic. Appears to be met and any additional requirements could be stipulated as conditions of approval. The proposed plan appears to meet the recommendations of the traffic study (which was submitted) and the recommendations of the Ottawa County Road Commission.
- Open space. Appears to be met with the path, boardwalk and picnic tables making the wetland usable.

2. Generally, a PUD is expected to comply with the traditional zoning requirements. However, as noted in the intent section of the Zoning Ordinance, the intention of a PUD is to provide for flexibility in the regulation of land development as long as a finding can be made that the deviation results in a higher quality of development that would be possible using traditional conventional zoning standards.

The proposed PUD plan appears to comply with all the standard regulations in the Zoning Ordinance (note that now garages are proposed)

3. The parcels will have to be combined.
4. An escrow fee in the amount of \$15,000 needs to be submitted as determined by the DPW Director.

REVIEW FOR FINAL DEVELOPMENT PLAN

Sec. 22.8 FINAL DEVELOPMENT PLAN APPLICATION.

- A. **Final Development Plan Approval Time Period – Dual or Multi Phased:** If the project includes phases, then the applicant must submit a request within twelve (12) months of the Township Board’s approval of the preliminary plan and PUD rezoning for final development plan approval of a phase. Following the final approval of the first PUD phase, the applicant must submit each subsequent phase within twenty-four (24) months of the approval date for the previous phase. If the applicant fails to submit the first phase within twelve (12) months or each subsequent phase within the twenty-four (24) month time period then the preliminary site plan incorporating all phases not already approved for final site plan shall be determined to be invalid.

Met if Preliminary Plan was just approved.

- B. **Final Development Plan Application Requirements:** A final development plan application shall consist of the following (unless determined by the Zoning Administrator or Planning Commission to be unnecessary):
 1. A completed application form, supplied by the Zoning Administrator. **Provided**
 2. Payment of a fee, as established by the Township Board. **Paid**
 3. A written response to the findings, review comments, and conditions, if any, from the Township Board’s review and approval of the preliminary development plan and a narrative explanation of the changes made to the plan in response to those items. **Will be condition of approval.**
 4. A site plan containing all of the information required in this PUD Chapter and the following information shown below: (If the plan consists of phases, then the above-mentioned information is only required for the specific phase(s) being presented for final approval. Each subsequent phase shall be reviewed in the same manner).
 - a. The location and dimensions of all proposed structures and buildings on the PUD site.

PROVIDED.

- b. The location of all proposed drives (including dimensions and radii), acceleration/deceleration lanes, sidewalks / pathways / bikepaths, curbing, parking areas (including the dimensions of a typical parking space and the total number of parking spaces to be provided), and unloading areas. Street names must also be included.

PROVIDED.

- c. The location of all proposed signs and lighting, including the sizes and types.

The plan notes that the proposed sign final design and location is TBD and will comply with Chapter 25 of the Township Zoning Ordinance. It is not stated but a Sign Permit will be required prior to construction. Note #9 states that all shall be shielded from all adjacent properties and proposed lighting shall consist of wall-mounted lights and light poles, both fitted with down cast type fixtures to be specified by lighting consultant. A photometric plan has also been provided with specifics.

- d. The location, type and size of all proposed landscaping and site amenities (art work, fences, gateway features, etc.).

PROVIDED.

- e. The location, type and size of all utilities and storm water drainage facilities, including fire protection, sanitary sewers, water services, etc.

Work with the DPW.

- f. Existing and proposed topographic contours at a maximum of three (3) foot intervals.

PROVIDED.

- g. Elevation views of all proposed structures and floor plans for all multi-family residential dwelling units.

Elevation views and floor plans are provided for the Townhome style buildings, the multi-family building, and commercial buildings

- h. Proposed open space areas, including recreational amenities (playgrounds, etc.).

PROVIDED.

- i. Floodplain areas.

PROVIDED (project is not located in the 100-year floodplain).

- C. The Planning Commission may request from the applicant any additional graphics or written materials, prepared by a qualified person or persons, to assist in determining the appropriateness of the site plan. Such material may include, but need not be limited to, aerial photography, photographs; traffic impacts; impact on significant natural features and drainage; soil tests; and other pertinent information.

Sec. 22.9 PLANNING COMMISSION REVIEW OF FINAL DEVELOPMENT PLAN.

- A. The Planning Commission shall review the final development plan in relation to its conformance with the preliminary development plan and any conditions of the PUD rezoning. If it is determined that the final plan is not in substantial conformance with the preliminary development plan, the review process shall be conducted as a preliminary development plan review, in accordance with the procedures of Sections 22.5 - 22.7 of this Ordinance.

The final development plan for the PUD appears to be in conformance with the preliminary development plan.

- B. Planned Unit Developments, whether established as a single or multiphase development, shall reasonably accommodate for the intent of the PUD in each phase. If the proposed PUD appears to provide for phases that do not incorporate the intent of the proposed PUD, the Planning Commission may require bonding or other similar financial obligation, which shall be established in the PUD agreement. If a portion of the PUD intent it to provide for a variety of uses (i.e. - apartments and single-family homes), then the proposed phasing schedule shall show how the development of these uses will be balanced in the phased development schedule.

The final development plan appears to accommodate the intention of the PUD.

- C. If the final development plan is consistent with the approved preliminary development plan, the Planning Commission shall review the final plan in accordance with the standards for approval in Section 22.10.

See the review under Sec. 22.10.

- D. The Planning Commission shall prepare a record of its findings and shall approve, approve with conditions, or deny the final development plan.

Minutes will be prepared.

- E. Any regulatory modification from traditional district requirements shall be approved through a finding by the Planning Commission that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards. Regulatory modifications are not subject to variance approval of the Zoning Board of Appeals. No part of this PUD process of the approved site plans may be appealed to the Zoning Board of Appeals. This provision shall not preclude an individual residential lot owner from seeking a variance following final approval of the PUD, provided such variance does not involve alterations to open space areas as shown on the approved PUD site plan.

Planning Commission will determine whether the proposed acreage is acceptable.

- F. A table shall be provided on the final site plan which specifically details all deviations from the established zoning area, height and setback regulations, off-street parking regulations, general provisions, or Township subdivision regulations which would otherwise be applicable to the uses and developments proposed in the absence of this PUD article and rezoning.

Information is provided in the General Notes.

Sec. 22.10 STANDARDS FOR APPROVAL (both preliminary and **final**).

A PUD shall be approved only if it complies with each of the following standards:

- A. The proposed PUD complies with all qualifying conditions of Section 22.2. **The final development plan appears to meet this condition.**
- B. The proposed PUD is compatible with surrounding uses of land, the natural environment, and the capacities of public services and facilities affected by the development. **The final development plan appears to meet this condition.**
- C. The proposed uses within the PUD will not possess conditions or effects that would be injurious to the public health, safety, or welfare of the community. **The final development plan appears to meet this condition.**
- D. The proposed project is consistent with the spirit and intent of the PUD District, as described in Section 22.1 and represents an opportunity for improved or innovative development for the community that could not be achieved through conventional zoning. **The final development plan appears to meet this condition.**
- E. The proposed PUD meets all the site plan requirements of this Chapter, respective of being either a preliminary or final PUD request (Preliminary PUD's must meet Section 22.5, A and Final PUD's must meet Section 22.8, D.) **The final development plan appears to meet Section 22.8(D).**

Sec. 22.11 PUD AGREEMENT.

- A. Prior to the issuance of any building permits or commencement of construction on any portion of the PUD, the applicant shall enter into an agreement with the Township in recordable form, setting forth the applicant's obligations with respect to the PUD.
- B. The agreement shall describe all improvements to be constructed as part of the PUD and shall incorporate, by reference, the final development plan with all required revisions, other documents which comprise the PUD, and all conditions attached to the approval by the Township Board.
- C. A phasing plan shall also be submitted describing the intended schedule for start and completion of each phase and the improvements to be undertaken in each phase.
- D. The agreement shall also establish the remedies of the Township in the event of default by the applicant in carrying out the PUD, and shall be binding on all successors in interest to the applicant.
- E. All documents shall be executed and recorded in the office of the Ottawa County Register of

Deeds.

A condition of approval: the recorded PUD agreement shall be submitted prior to the time the first building permit application is submitted to the Township.

OPTION FOR MOTION –Preliminary Development Plan

If the Planning Commission determines that the proposal meets the requirements of the ordinance and the deviations are acceptable, the following motion is offered. If the Planning Commission determines that more revisions are necessary or more information should be provided, the item could be tabled.

Motion: To adopt the staff report as finding of fact and to recommend to the Township Board to approve the following resolution:

Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2025-08)

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on _____, 2025, beginning at 7:00 p.m. and after the second public hearing was held, Township Board Member _____ made a motion to adopt the staff report as finding of fact and to adopt this Ordinance, as recommended by the Planning Commission, which motion was seconded by Township Board Member _____:

AN AMENDMENT TO THE GEORGETOWN CHARTER TOWNSHIP ZONING ORDINANCE, AS AMENDED, AND MAP

THE CHARTER TOWNSHIP OF GEORGETOWN (the “Township”) ORDAINS:

ARTICLE 1. The map of the Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to read as follows:

(PUD2501) (Ordinance No. 2025-08) Rubicon, LLC, to approve (rezoning from LDR to PUD) a preliminary planned unit development for 44th St. & 8th Ave. PUD, a mixed use PUD with residential, commercial and office uses, on 12.11 acres, on parcels of land described as P.P. # 70-14-25- 100-051 and #70-14-25-100-052, located at 6124 and 6110 8th Ave., Georgetown Township, Ottawa County, Michigan.

As shown on the following documents:

1. Application dated 9-25-2025 and narrative dated rev 9-30-25;
2. Nederveld Site Plan Proj. No. 24201810 dated 9-30-25;

3. Elevations and floor plans provided for the townhomes, multi-family building, and commercial buildings.

Based on the determinations that:

1. **The proposal is consistent with the Master Plan.**
2. **The proposal meets the ordinance requirement for pedestrian walkways.**
3. **The proposal meets the ordinance requirement for architecture.**
4. **The proposal meets the ordinance requirement for traffic.**
5. **The proposal meets the ordinance requirement for open space.**
6. **The proposal meets the ordinance requirement for uses that are allowed.**
7. **The proposal meets the standards of approval.**

Based on the findings that:

1. The information as per Sec. 22.5 is provided.
2. The plan meets the ordinance requirements of Sec. 22.10 as follows:
 - a. The qualifying conditions in Sec. 22.2 are met;
 - b. The proposed PUD is compatible with surrounding uses of land, the natural environment, and the capacities of public services and facilities affected by the development;
 - c. The proposed uses within the PUD will not possess conditions or effects that would be injurious to the public health, safety, or welfare of the community;
 - d. The proposed project is consistent with the spirit and intent of the PUD District, as described in Section 22.1 and represents an opportunity for improved or innovative development for the community that could not be achieved through conventional zoning;
 - e. The proposed PUD meets all the site plan requirements of Chapter 22 including Section 22.8, D.
3. The deviations, regulatory modification from traditional district requirements, are approved through a finding by the Planning Commission that the deviations shall result in a higher quality of development than would be possible using conventional zoning standards. Deviations are as follows:
 - The site is 12.11 acres, and the application is for a mixed use PUD which is required to have a minimum of 20 acres per the qualifying conditions in Sec. 22.2 (A).

And with the following conditions:

1. **As per Sec. 22.2(B), the site shall be serviced by public water and sanitary sewer, which is to be coordinated with the Department of Public Works. Approval of the utility plans shall be obtained by the DPW and the \$15,000 escrow fee shall be provided to the township prior to the submission of any building permit applications.**
2. **A Storm Water Drain Permit (written approval by the Water Resource's office) shall be submitted to the Township prior to the submission of any building permit applications.**
3. **As per Sec. 22.11, a recorded PUD agreement shall be submitted to the Township prior to the submission of any building permit applications.**
4. **Approved permits are required for all signs and all signs shall meet ordinance standards if one is applied for in the future.**
5. **Approval from the Ottawa County Road Commission, along with any necessary permits, shall be obtained and submitted prior to the submission of any building permit applications.**

6. The parcels 70-14-25-100-051 and 70-14-25-100-052 must be combined prior to the submission of any building permit applications.
7. The residential and commercial buildings shall provide for coordinated and innovative visually appealing architectural styles, building forms, and building relationships.
8. No deviation is requested for the elimination of the garage requirement because garages have been provided. There is a minimum of 200 SF attached garages on the residential units.

OPTIONAL CONDITION

9. Uses in the CS district are allowed, except for the following: drive-through facilities, mortuaries and funeral homes, assembly buildings, vehicle service station, vehicle repair, outdoor recreation facilities, outdoor storage, and open air business.

ARTICLE 2. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

ARTICLE 3. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, and map shall remain unchanged and in full force and effect.

ARTICLE 4. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of seven (7) days from the date of publication of this Ordinance or a summary of its provisions in accordance with the law.

The vote in favor of adopting this Ordinance was as follows:

Yeas:

Nays:

Absent:

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION OF ORDINANCE ADOPTION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

I hereby certify that notice of this ordinance was published in the Grand Rapids Press on November 4, 2025 and on _____ . *(Fill in the 2 dates of publication)*

I further certify that the votes for adoption of the foregoing resolution were as follows:

- Yeas:
- Nays:
- Absent:
- Abstained:

Respectfully submitted,

By: _____
Jim Wierenga, Georgetown Charter Township Supervisor

Dated: _____

By: _____
Kelly Kuiper, Georgetown Charter Township Clerk

Dated: _____

Final Development Plan

Motion: To adopt the staff report as finding of fact and to approve the final development plan for **(PUD2501-01) Rubicon, LLC for the 8th Ave. and 44th St. PUD**, on parcels of land described as P.P. # 70-14-25- 100-051 and #70-14-25-100-052, located at 6124 and 6110 8th Ave., Georgetown Township, Ottawa County, Michigan, contingent upon Township Board approval of the preliminary development plan and effective after the effective date of the rezoning.

As shown on the following documents:

1. Application dated 9-25-2025 and narrative dated rev 9-30-25;
2. Nederveld Site Plan Proj. No. 24201810 dated 9-30-25;
3. Elevations and floor plans provided for the townhomes, multi-family building, and commercial buildings.

Based on the findings that:

1. The plan meets the ordinance requirements of Sec. 22.10 as follows:
 - a. The qualifying conditions in Sec. 22.2 are met;
 - b. The proposed PUD is compatible with surrounding uses of land, the natural environment, and the capacities of public services and facilities affected by the development;
 - c. The proposed uses within the PUD will not possess conditions or effects that would be injurious to the public health, safety, or welfare of the community;
 - d. The proposed project is consistent with the spirit and intent of the PUD District, as described in Section 22.1 and represents an opportunity for improved or innovative development for the community that could not be achieved through conventional zoning;
 - e. The proposed PUD meets all the site plan requirements of Chapter 22 including Section 22.8, D.

The deviations, regulatory modification from traditional district requirements, are approved through a finding by the Planning Commission that the deviations shall result in a higher quality of development than would be possible using conventional zoning standards. Deviations are as follows:

- The site is 12.11 acres, and the application is for a mixed use PUD which is required to have a minimum of 20 acres per the qualifying conditions in Sec. 22.2 (A).

And with the following conditions:

1. **As per Sec. 22.2(B), the site shall be serviced by public water and sanitary sewer, which is to be coordinated with the Department of Public Works. Approval of the utility plans shall be obtained by the DPW and the \$15,000 escrow fee shall be provided to the township prior to the submission of any building permit applications.**
2. **A Storm Water Drain Permit (written approval by the Water Resource's office) shall be submitted to the Township prior to the submission of any building permit applications.**
3. **As per Sec. 22.11, a recorded PUD agreement shall be submitted to the Township prior to the submission of any building permit applications.**
4. **Approved permits are required for all signs and all signs shall meet ordinance standards if one is applied for in the future.**
5. **Approval from the Ottawa County Road Commission, along with any necessary permits, shall be obtained and submitted prior to the submission of any building permit applications.**
6. **The parcels 70-14-25-100-051 and 70-14-25-100-052 must be combined prior to the submission of any building permit applications.**
7. **The residential and commercial buildings shall provide for coordinated and innovative visually appealing architectural styles, building forms, and building relationships.**
8. **No deviation is requested for the elimination of the garage requirement because garages have been provided. There is a minimum of 200 SF attached garages on the residential units.**

OPTIONAL CONDITION

9. **Uses in the CS district are allowed, except for the following: drive-through facilities, mortuaries and funeral homes, assembly buildings, vehicle service station, vehicle repair, outdoor recreation facilities, outdoor storage, and open air business.**