

**TOWNSHIP OF SOLON
COUNTY OF KENT, MICHIGAN**

At a regular meeting of the Planning Commission of the Township of Solon, held at the Solon Township Hall, 15185 Algoma Ave., NE, Cedar Springs, Michigan, on the 28th day of February, 2018, at 7:30 p.m.

PRESENT: Members: Gunnell, Tilburt, Sevey, Moore, Sawade, Babcock, Myers

ABSENT: Members: None

The following preamble and resolution were offered by Member Gunnell and seconded by Member Babcock:

RESOLUTION NO. 18-02

**RESOLUTION APPROVING SPECIAL LAND USE
FOR ST. JOHN PAUL II CATHOLIC CHURCH**

**[Application of Roman Catholic Diocese of Grand Rapids, Michigan –
13911 Northern Springs Dr., NE and 3112 - 17 Mile Road, NE]**

WHEREAS, the Roman Catholic Diocese of Grand Rapids, Michigan (the “Applicant”), has applied for a special land use to permit the construction and use of an additional church building and rectory, associated parking, driveway access, landscaping and other facilities on the following-described lands, which are located in the HC - Highway Commercial District:

**13911 Northern Springs Dr., NE
and 3112 - 17 Mile Road, NE**

Part of the Northeast 1/4 of the Northeast 1/4 of Section 34, Town 10 North, Range 11 West, Solon Township, Kent County, Michigan, beginning on the North line of said Section 34 at a point being South 89°04'13” West 564.73 feet from the Northeast corner of said Section 34; thence South 00°10'46” East 40.00 feet; thence North 89°04'13” East 29.79 feet along the South right-of-way line of 17 Mile Road (a public right-of-way); thence South 09°02'04” East 95.31 feet along the West right-of-way line of Northern Springs Drive (a private drive); thence South 00°10'46” East 183.53 feet along said West right-of-way line; thence Southeasterly 256.94 feet along said West right-of-way line on a 333.00 foot radius curve to the left, the chord of which bears South 22°17'04” East 250.62 feet; thence Southerly 206.02 feet along said West right-of-way line on a 267.00 foot radius curve to the right, the chord of which bears South 22°17'04”

East 200.95 feet; thence South 00°10'46" East 165.57 feet along said West right-of-way line; thence South 89°04'13" West 626.90 feet along the North line of Unit 5 of Northern Springs Industrial Park Condominium (Kent County Condominium Subdivision Plan No. 839); thence North 00°10'46" West 904.05 feet; thence North 89°04'13" East 412.50 feet along the North line of said Section 34 to the place of beginning.

WHEREAS, the construction and use of a church building and associated facilities are permitted as a special land use in the NC - Neighborhood Commercial District under Section 9.03.D, which authorizes office and institutional uses where the total area of the principal buildings, accessory buildings and structures is equal to or exceeds 10,000 square feet in area, and further, Section 10.03.A of the zoning ordinance provides that in the HC District, all special land uses permitted in the NC - Neighborhood Commercial District (including that specified under Section 9.03.D) are permitted as special land uses in the HC - Highway Commercial District;

WHEREAS, under Section 3.02 Principal Use, subpart B, land and buildings may be considered a principal use collectively if the land and buildings are planned and designed as a single integral development, including joint parking, compatible architecture, shared driveways, shared signs and other similar features;

WHEREAS, the Applicant desires to add to the existing church with a second church facility and a rectory on site; and

WHEREAS, the Planning Commission has held a public hearing on the application, after the giving of public notice as required by law, and has considered the application for a special land use, the proposed site plan and other materials, and has considered comments received from the public.

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. ***Special Land Use.*** Upon the terms and subject to the conditions of this Resolution, the Planning Commission hereby grants and approves a special land use to the Applicant for the proposed church building, rectory and associated parking and facilities on the land described above, all as outlined in the site plan submitted by the Applicant with a last date of February 27, 2018 (the "Plan").

2. ***Terms and Conditions of the Special Land Use.*** The special land use for the church buildings, associated parking area and facilities as outlined in the Plan is hereby approved subject to compliance with all of the following terms and conditions:

a. **Compliance with Plan.** The buildings, driveways, parking, landscaping, storm water retention and other aspects of the development shall only be designed, constructed and used in accordance with the Plan submitted to the Planning Commission, except where that Plan is changed, revised or modified by this Resolution.

b. **Access.** Access to the church building shall be by means of the driveways designated on 17 Mile Road and on Northern Springs Drive. Each driveway and the entry ways shall be subject to the review and approval by the Kent County Road Commission and the Michigan Department of Transportation.

c. **Phased Construction.** The proposed church may be constructed in phases, each of which is hereby approved; provided, however, the Applicant has acknowledged that traffic circulation may become an issue if Phase 2 is constructed, based on the traffic study that it submitted. Therefore, prior to the commencement of Phase 2, the Applicant shall submit a traffic study which reflects the traffic issues at the time of the proposal for Phase 2 and projects the impact Phase 2 will have on future traffic. The Planning Commission will then consider that traffic study and, in addition to the input from the Kent County Road Commission and Michigan Department

of Transportation regarding any change in facilities, the Planning Commission will make such requirements for traffic flow modifications as it may determine to be necessary. Phase 2 shall not be commenced until the Planning Commission has granted approval of the traffic flow and arrangements. No separate public hearing will be necessary for Planning Commission review and approval of this item.

d. **Lighting**. Outdoor lighting of each of the buildings shall only be as indicated on the Plan. The fixtures shall be of a cut-off type and shall direct light downward, so as to prevent light from spilling onto other lands or streets and to prevent excessive glare. The outdoor lighting fixtures shall be no higher than 20 feet. There shall be no more than nine light poles as shown on the Plan. The outdoor lights shall be connected to an automatic timing device, and the lights shall be turned off not later than one hour after events are concluded at the church building.

e. **Storm Water Management**. Surface water drainage and disposal from the church building site shall be accomplished only in a manner such as to have no adverse effect upon other lands. The surface water drainage plan shall be subject to the review and approval of the Township's consulting engineers. Arrangements for the handling and disposal of storm water on and from the site, and the operation of such facilities, shall be such that no greater quantity of storm water shall leave the site than was the case prior to the construction of the facilities authorized by this Resolution. If the Township Engineer concludes that a greater volume of storm water will leave the site as a result of the proposed construction, or if the Engineer concludes that there may be other adverse effects by reason of storm water drainage onto or affecting other lands, then the Applicant shall obtain from the owners of all affected lands and record easements or other sufficient approvals whereby the owners of such lands authorize and approve the storm water drainage arrangements, or consent to the effects thereof.

f. **Water and Septic Systems.** Water and septic systems shall be in accordance with all state and/or local health requirements. Prior to the issuance of a certificate of occupancy, the water and septic systems shall be completed and approved.

g. **Signage.** All proposed signs shall be subject to the review and approval of the Township Zoning Administrator and shall comply in all respects with the Township sign ordinances. The signs as proposed may be illuminated.

h. **Trash Disposal.** A dumpster, for disposal of refuse, shall be located as shown in the Plan, with solid fence screening at least six feet in height.

i. **Landscaping.** A landscaping plan has been submitted but not reviewed by the Township. The plan shall be subject to the review and approval of the Zoning Administrator, in consultation with a sub-committee of the Planning Commission, if so desired.

j. **Public Assembly.** The Applicant shall comply with the requirements for places of public assembly as outlined in Section 16.04.V of the zoning ordinance, except as such requirements may be modified by the terms of this Resolution.

k. **Traffic Study.** Section 16.04.V.3 requires a traffic study for all uses exceeding a seating capacity of 250 persons. The Planning Commission has received a traffic study from the Applicant, as required.

l. **Township Engineer.** The Applicant shall comply with the requirements of the Township engineer, including those requirements stated in the engineer's report dated February 15, 2018.

3. ***Findings Under Section 3.02.B.*** The Planning Commission finds that the land and buildings have been planned and designed as a single integral development, including joint parking, compatible architecture, shared driveways, shared signs and other similar features, so as to comply with the principal use requirements of Section 3.02.

4. ***Findings Under Section 16.03.A.*** The Planning Commission determines that the general special land use standards stated in Section 16.03.A of the zoning ordinance have been satisfied as follows:

a. The special land use, if established and operated in compliance with this Resolution, would be designed, operated and maintained so as to be reasonably harmonious and appropriate in appearance, with the existing character of the general vicinity, and the use will not change the essential character of the area.

b. The special land use would be served adequately by essential public facilities and services.

c. The special land use would not create excessive additional requirements at public cost for public facilities and services.

d. The special land use would not involve uses, activities or conditions that would be detrimental to persons, property or the general welfare, so long as the conditions of this Resolution are satisfied.

5. ***Findings Under Section 16.04.V.*** The Planning Commission determines that the specific special land use standards stated in Section 16.04.V of the zoning ordinance are satisfied as follows:

a. The lighting for parking areas and outdoor activities areas shall be shielded to prevent light from spilling onto residential districts or uses, as provided in the Plan.

b. Main buildings are set back a minimum of 100 feet from any residential district or use.

c. A traffic study has been submitted by the Applicant describing the internal circulation and projected impact on traffic operations, capacity and access on adjacent and nearby streets which are likely to provide access to the site.

d. Access drives are located no less than 100 feet from the nearest part of the intersection of any street or any other driveway.

6. **Additional Findings.** The Planning Commission determines that the conditions imposed by this Resolution are the least restrictive way of conforming the proposed use with the existing character of the area, existing and neighboring uses and available public facilities, as permitted by the zoning ordinance, particularly as it relates to lighting, parking, surface water drainage, access and traffic impact, and that the conditions imposed are in furtherance of compelling governmental interests, including protection of neighboring uses and enhancing traffic safety.

AYES: Members: All

NAYS: Members: None

ABSENT: Members: None

RESOLUTION DECLARED ADOPTED.



Secretary

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Planning Commission of the Township of Solon at a regular meeting thereof held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Secretary

