CALL TO ORDER:

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

ATTENDANCE:

Present: Terry DeHaan, Dennis Eade, Rosemary Ervine, Diana Garlinghouse, David Kleinjans, Denise Nestel, Jeff Pfost

Staff: Greg Ransford, Planner, Dan Martin, Legal Counsel

APPROVAL OF AGENDA:

Pfost suggested that Public Comment be moved ahead of the Old Business item.

Motion by Ervine, supported by Eade, to approve the agenda as changed.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

Motion by Ervine, supported by Eade, to approve the agenda as modified.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

APPROVAL OF MINUTES:

Kleinjans noted three corrections on pages 5, 7 and 8.
Motion by Ervine, supported by Kleinjans, to approve the December 11, 2019 Regular Meeting Minutes as corrected.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

NEW BUSINESS:

A. Planned Unit Development

Anchorage Marine – Major Amendment, Preliminary Development Plan, 1825 Ottawa Beach Road

Ransford provided the background to this agenda item. The Anchorage Marine PUD was originally approved in 1985 which pre-dates the current PUD language within the Park Township Zoning Ordinance. Anchorage Marine seeks Preliminary PUD Development Plan approval for six single family residential condominium units located on the second and third floors. The proposed PUD would also include required open space, parking, and other site improvements.

The PUD consists of three properties, all of which are located within the C-2, Resort Service Zoning District, and are identified as follows:

1. 1821 Ottawa Beach Road, Parcel 70-15-27-140-020
2. 1800 Ottawa Beach Road, Parcel 70-15-27-270-185
3. 1807 Ottawa Beach Road, Parcel 70-15-27-141-003

Currently in operation on this property are a marina, boat storage facility and offices, as well as retail space.

There are several items for the Planning Commission to consider including density and several deviation requests that affect zoning ordinance requirements. The deviation requests have criteria that should be reviewed. Once the Planning Commission provides feedback and recommends modifications, we recommend that the applicant returns with the Final Preliminary Plan for approval. There will be a public hearing required for the Final Plan.

Applicant Jeff Kavanaugh, owner of Anchorage Marine, said he purchased the boat yard property 25 years ago. He has thought about this renovation project for many years since there is a lot of unused space on the property. His goal is to update and rejuvenate the appearance of the boat yard property and improve the architecture of the strip mall area. Loft property is appealing to today’s buyers so that is why the third floor is included in the proposed plan. He would sell the units – there will be no short term rental. He understands, in order to change the
PUD, he needs to make a community contribution and will provide a “pocket park” with benches in the southwest corner of the property and it will include a historical marker. This will blend in with the crosswalk that will be constructed this year.

Nestel referenced a comment on the plans submitted by the applicant that the proposal “will be a significant investment and upgrade” – she asked the applicant whether this is a wish or a promise?

Kavanaugh said the upgrade is what he plans for the property and he would like to have a Victorian look with the new architectural plan which will include a peak roof. This will blend in with the neighboring community. The condo building will have new siding and decks/balconies with nautical decoration, e.g., anchors and roping.

Ervine asked about square footage and if there would be an elevator.

Andy Baer, architect for the PUD project, said the square footage of each condo would be 1500 square feet. There will be internal stairways instead of an elevator.

Erwine asked about plans for green space.

Baer pointed out on the PUD graphic the green space areas on the property and the location of the proposed pocket park where the historical marker will be located.

Erwine asked about the parking plan and the entrance and exit driveways. Will this be a full-time or vacation development?

Baer said that is a difficult question to answer. They anticipate that interest in the purchase of the condos will probably be boaters who like to vacation here in the spring and summer months.

Tracy Hutchinson of Driesenga and Associates said there will be one stall garage per unit. Parking for residents will allow two cars per unit. The number of spaces will be 15 in front and six spaces will be added, but they are not assigned yet. Some parking will be available at the rear of the building. There will be 59 spaces where 55 are required.

DeHaan asked if there will be any impact on retail parking spaces.

Baer said that would not be an issue since the retail spaces have their own parking.

Garlinghouse asked about the café and if it had its own parking locations.

Kavanaugh said 50% of the café traffic is on foot and by bike. It hasn’t been an issue in the past.

Garlinghouse asked about the height requirement.
Baer said only the peak will be at 44’ – he understood the maximum allowed is 35’.

DeHaan asked for clarification that the 44’ measurement is not the entire façade but just the peak. He also asked if this was the final dimension.

Baer confirmed this was the case.

DeHaan said, in his opinion, there wouldn’t be a conflict between commercial and residential based on what the plan shows for the parking plan.

Pfost noted that the Planning Commission will have to address all the standards required for the PUD preliminary plan. This will include traffic issues and the impact of traffic into and out of the property. Ransford has created a list for review in his February 4, 2020 Staff Memo. He asked Planning Commission members if there were any issues of concern.

At this point of the discussion, Pfost suggested a review of the bullet points in the Staff Memo:

- **Bonus density** –
  The applicant is seeking three bonus residential units in addition to the base density of three. Looking at the amenities and green space, six units are within the maximum allowed. Ransford noted this is based on land acreage and setbacks and is negotiable depending on what the applicant offers with open space or other amenities. The property is 5.96 acres so they are allowed up to 12 units. Pfost asked staff to work with the applicant to be sure there is consensus on the mathematical consideration for the correct bonus density. The greenbelt area in bullet point #2 (Open Space) is included in this consideration.

- **Pocket Park** –
  With regard to bullet points #3 and #4, the Planning Commission asked for a clear visual aid of the pocket park. The Township Board would appreciate this since a pocket park is not a well-known concept. Paver details are wanted at Final plan submission.

- **Deviation Requests (7)** -
  The applicant should clarify all of these requests with the Planner. The Planning Commission was in consensus all deviation requests should meet the required criteria.

Baer clarified with regard to placement of trees on Ottawa Beach Road they can’t plant trees because they would interfere with sight lines from the road and affect traffic flow safety.

1. **Open Space Pocket Park** – this has been discussed.

2. **Building Height** – the applicant has requested the height of 44’, 9’ above the maximum. A comment was made that the neighboring Yacht Club has a height
above the maximum requirement. Kleinjans said he had concern about a precedent being set with the difference in height. Pfost asked Legal Counsel for comment.

Martin said that a precedent is treating similar circumstances in one case the same you would treat those circumstances in another case. The Planning Commission can waive the height limitation since the PUD allows the waiver of some zoning requirements. He added, with regard to zoning ordinance provisions, the Township can allow flexibility in a PUD and waive generally applicable zoning requirements for the public benefit of the development. Also, a zero side yard setback can be allowed. Currently, the applicant’s property abuts DNR (Department of Natural Resources) property. The Planning Commission could find that there is no safety issue and that it won’t pose a threat to have a zero lot line when the property abuts a DNR parking lot. As far as precedent, you could distinguish this application from others based on the use of the neighboring property.

3. Garages – the number has been discussed. Ervine asked what the view is from the rear of the condo units.

Baer explained there will be a fire wall at the rear as well as a roof extension.

4. Green Space - are the wetlands not developable?

Kavanaugh said they are not since most of that area is nonconforming.

5. Landscape Screening – Hutchinson described the layout on the plan and location of screening buffers.

6. Parking Setbacks – Hutchinson clarified the areas on the west side and front

7. Street trees – Pfost suggested an aerial photo of the property would be helpful.

Planning Commissioners were generally satisfied with the deviation requests.

- Victorian Elevations – this has been discussed.
- Off-season boat storage – Pfost suggested this be shown on the plan.
- Screening of rooftop mechanical equipment – the applicant said this is covered.
- Vehicle Turning Movement – Ransford said he has discussed this with the Township Fire Chief. He needs 30’ of open space for vehicle access. The applicant should address this requirement and obtain the Fire Chief’s approval.

Hutchinson said they have planned for controlled access.
- Reciprocal Access Easements – DeHaan asked that this will be part of the plan.
- Wheel Stops – Hutchinson said this will be taken care of in the plan.
• Provide Exterior Light Fixtures – the applicant will comply with the requirements.

• Boat Storage and On-Site Attributes, including parking, dumpsters – the applicant will take care of this.
• Open Space Preservation and Maintenance Agreement – this will be on the checklist.
• Signatures of other property owners in PUD – Ransford said the applicant is responsible to have signed notifications from neighboring property owners.

Kavanaugh said he has no problem getting the agreements from the two condo associations on both sides of his property.

Martin observed from the aerial photograph that the adjacent property in the excepted area is clearly being used for boat storage and trailer storage.

Kavanaugh said the boats and trailers might be from across the street. He said he will work with the owners to obtain signatures.

• Requirement between Front Parallel Parking and Lift Station – Ransford said 14’ is required for the separation and the applicant gives the number at 12.4’. The applicant will consult with the Township Engineer for clarification on this issue.
• Environmental Impact Assessment – the Planning Commission did not consider this as necessary.
• Water Resources Commission Approval - Pfost explained that storm water plans have been an important condition of PUDs. This should be an important part of the plan and should be obtained up front.

Pfost asked the Planning Commission members if they are prepared to advise the applicant to proceed with preparation of the Final Preliminary PUD Plan.

Kleinjans asked for written assurance there would be no short term rentals.

Ransford will draft a resolution for the applicant to state no short term rentals.

Martin confirmed this is appropriate.

Kleinjans asked about curbing.

Hutchinson said that will go to the Ottawa County Road Commission.

Ervine asked for the price point on the condos.

Kavanaugh said they don’t know what the price will be at this time. There are a lot of factors to be resolved first.
Pfost took a straw poll of the Planning Commission if they want to see another preliminary plan before moving forward with a final plan.

DeHaan, yes; Eade, yes; Garlinghouse, yes; Kleinjans, yes; Ervine, yes; Pfost, yes; Nestel, no.

Ayes 5, Nays 1. The applicant will return with a revised preliminary plan.

Pfost asked the Planning Commission members if they were prepared to table action until resolution of all questions. There was consensus to table action and request an updated preliminary plan for the March meeting followed by formal approval of a Preliminary Plan. A public hearing will be scheduled at a subsequent month with the Final Plan submission.

Pfost suggested a brief break at 8:09 P.M.

The meeting reconvened at 8:13 P.M.

PUBLIC COMMENT

Pfost opened Public Comment at 8:15 P.M.

Bob Garlinghouse, president of the neighborhood association in one of the overlay districts, said the proposed overlay is important to the residents in his community. However, he chose to speak for himself instead of the Association. In his community there have been three open meetings with 20-30 residents participating. He asked if they should move forward to an open forum regarding the overlay and the setbacks. There is positive feedback on the change in the setbacks considering their lot sizes average 50x100 square feet. It is important to have compromise solutions to the fire code which will provide safety for the community. He is in favor of the current language. The next public forum will reveal diversity of opinion. He noted that specific dimensions of the lots are important for fire safety regulations.

With regard to the water supply, fire requirements are necessary for fire containers. There are varied opinions on portable outdoor fire equipment such as fire pits, chimneas, and other containers. He shared a visual with the Planning Commission of various types of fire containers. There are several definitions so clarity is important. For example, a fire grate can be confusing since there are different types.

Pfost closed Public Comment at 8:35 P.M.

Nestel asked about the averaging in these neighborhoods. Some residents are concerned this could skew to shorter height for homes.

OLD BUSINESS:

A. Ottawa Beach NHP
1. Second draft Ottawa Beach Overlay District – Division 6B
2. Second draft North Beach Master Plan Amendment

Staff will prepare for May/June public presentation. A public hearing will be held. Public input should be part of public record.

Pfost asked how early should there be public comment on the NHP overlays. We want to accommodate returning residents from winter vacations.

Garlinghouse suggested a delay until May 2020.

Nestel said the Township Board may not appreciate receiving too many overlay requests at once. Perhaps they could be spread out over a few months.

Ransford said the recommendations for the NHPs may not be as significant as Macatawa Park and Ottawa Beach. The rest are not as complex.

Pfost noted that he will coordinate a May or June meeting with Ransford for the public hearing on the Ottawa Beach overlay language.

Pfost also suggested the Planning Commission consider revisiting the Master Plan process mid-term prior to the next five year planning period. Ransford described a case in point in April is we expect an application regarding property on the south side for the old Harrington school property. An applicant is interested in it for rezoning for commercial purposes. There is no guiding language in the current Master Plan because the property is identified as Public/Open Space or in other words, is intended to remain as a public use – it would be appropriate to amend the Master Plan to remove the Public/Open Space classification.

He noted that under current zoning the Harrington school property is considered residential.

He added that since the Planning Commission also needs to amend the Master Plan related to Ottawa Beach the Public/Open Space classification on the map and related language could be revised as well.

Garlinghouse noted that it will be important to appropriately maintain the emphasis of protection of the Public Trust properties within the Ottawa Beach area of the Master Plan if the Public/Open Space classification is removed.

Nestel requested a list of these properties.

Pfost reviewed some of the parks which are township, county and state parks. Also, we have school systems and several public entities in Park Township. He supported Ransford’s recommendation to correct the language regarding these properties. Conceptually, we have looked at parcels north of the Township and considered them rural residential. South of Riley Street they are low density residential. We also have commercial resort properties. We could
consider public lands in the future should something happen north of Riley Street. It would be considered rural residential. What is our land use plan? We need to be specific and clear about our intent.

Ransford will prepare a list of the properties in question and their current uses for review by the Planning Commission.

He also asked Legal Counsel, with reference to the overlay plans, if he could do a concurrent notice for a sub area and a general area in the event one Master Plan amendment is delayed.

Martin said he thought that was feasible.

Ransford will share his draft with Martin.

Kleinjans commented on the overlay wording and asked about the meaning of the word “restrict” regarding land use and the reference to “more or less restrictive.” He also asked who enforces fire regulations. Residents want language that is currently in place regarding radius direction for wind speed for fire safety reasons.

Ransford said paper can’t be used in fires, according to Chief Gamby. This needs to be revised in the language for fire regulation.

It was agreed that Staff will prepare the final draft for the two overlay districts.

**Ervine moved, supported by Nestel, to request Staff to prepare the final draft for the Ottawa Beach NHP and initiate the required Notice of Intent to plan for the North Beach Master Plan amendment and Public/Quasi Public amendment.**

**Voice Vote:**

Ayes 7, Nays 0. Motion carried.

**ANNOUNCEMENTS**

1. **Tree Preservation Committee**

Kleinjans reported that the Tree Preservation Committee met on February 11, 2020. The committee has received many recommendations which they have incorporated into a working draft. Ransford is finalizing that and the committee will meet again next week to review it. This will be submitted to the Planning Commission for its review and approval. The two principal considerations were preserving tree-lined street and keeping tree buffers around developments. A future consideration will include how the Township defines a landmark tree.

2. **Joint Meeting, March 26, 2020 (Township Board, Planning Commission, Zoning Board of Appeals)**
The discussion will focus on affordable housing in Park Township. A rough draft of discussion points will be prepared following the meeting. The purpose is to have a dialogue about where the Township wants to go with regard to the issue.

3. Next Planning Commission meeting date: March 11, 2020

ADJOURNMENT

Kleinjans moved, supported by Ervine, to adjourn the Regular Meeting at 9:20 P.M.

Voice Vote:

Ayes 7, Nays 0. Motion carried.

Respectfully submitted,

Judith R. Hemwall
Recording Secretary
February 15, 2020

Approved: March 11, 2020