

SAUGATUCK TOWNSHIP PLANNING COMMISSION

March 28, 2005

The Saugatuck Township Planning Commission met on March 28, 2005, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Hanson, Marczuk, Milauckas and Rausch

Absent: Jarzembowski and Olendorf

Also present: Planner Sisson; Jeff Vos, Infrastructure C&E, Bob Baarda, and Dennis Reckley for Timberline Developers; Pete and Deb Colvin and Thom Carpenter for Kingfisher Cove; Dan McNulty for Dancing Horse Vineyards, a reporter and several members of the general public.

Chairman Milauckas called the meeting to order at 7:05 P.M. Hanson made a motion to approve the March 23 minutes as amended to delete "not" from the very last line on page 2. Marczuk supported and the motion carried.

When Milauckas asked for general public comments, John Breen read from a letter he presented to the Planning Commission from the Park Street Neighbors Association, expressing frustration in trying to meet with OxBow to find a way for the Association to be able to support their SAU application. He said the major concern was with traffic safety on the narrow, winding Park Street, and he suggested that the P.C. not advance OxBow's SAU further until a traffic study can be made.

Dayle Harrison, 3108 62nd St., said he thought people along Park Street should consider widening the street because OxBow did not create the problem. He asked why OxBow must apply for a SAU when the use has remained the same all these years. Milauckas answered by saying that the township attorney advised that was the way to proceed.

Milauckas opened the public hearing on Timberline Developers' changes to original mixed-use PUD plans. Secretary Rausch read the notice published in the newspaper and Milauckas verified that proper written notice had been sent to neighboring property owners. The changes involve substituting single family homes for the duplexes originally planned, and Milauckas said some of the common areas would be sacrificed. Bob Baarda introduced Jeff Vos, the engineer, and Dennis Reckley, the designer. Vos explained that instead of duplexes with single-stall garages in the middle and one parking space in front of each, they would now have detached single family homes with two-stall garages and two parking spaces in front of the garage, increasing the pavement and roof areas. Sidewalks and 23-foot valley-gutter roadway have been added. Sewer and water main remain the same and there will be storm water retention basins. The area where the homes will be built comprises 5.03 acres, and 45.7% of that area will be green space. Adding in the parcel with the motel, discounting the wetlands, there will be 57.9% green space. Reckley showed sketches of possible housing models and explained they would be 1, 1-1/2 or 2-story with 8-foot porches and shared driveways. They would be deeded as condominiums.

Sisson questioned the ability to maneuver cars in the shared driveways. Reckley said there is more room on the A-units, and there could be as many as 6 different house designs easily within the required square footage.

Public water enters the site between units 18 and 19 in the agreement with Legacy Development planned nearby. This plan shows a jog in the line where the water comes in, however, and this easement serves also as an access for emergency vehicles.

Milauckas invited public input, and Marty Myers, 6542 134th Ave., said she would like to be reassured that the cyclone fence originally agreed upon to mark her boundary line would continue to be honored with this plan. Vos agreed to that.

Harrison wanted to know if the 15-foot buffer zone of vegetation is retained. Milauckas asked if this was a preliminary plan, and Sisson said more detail was needed. Vos said the documents would remain the same because it is still a condominium. Trees on plan are existing, but some would be moved. Milauckas brought up the entrance drive, which was originally supposed to be offset so when one drives by he would not be able to see the whole housing development.

Rausch made a motion to close the public portion of the hearing, and Marczuk seconded. The motion carried.

Sisson's memo of April 20 was considered. The rear yard will be reduced on the south side of the parcel from 74' to 30'. The water-line easement to Legacy development for emergency vehicles should be shown on the plan. The reduction in open space is minimal and still within the requirements, but the narrow space in shared drives is a concern, especially the one to be used by emergency vehicles. Hanson thought the number of home sites should be reduced. Other commissioners agreed. Sisson suggested making "B-units" duplexes or extending the cul-de-sac. Other concerns about home sites and driveways being too close together, what kind of signage there would be, the need of a more detailed landscape plan, and saving existing trees were expressed. It was determined that this plan is too theoretical to approve with conditions.

Darpel made a motion to table Timberline's plan to the April 25 meeting based on the discussion to provide a better driveway space to perhaps 50', create a more direct emergency easement, present a tree planting and landscaping plan, include the fence on the eastern boundary, redesign the entrance drive to screen the project, and present a plan for the entrance sign. The motion was seconded by Hanson, and carried unanimously.

The next public hearing on King Fisher Cove PUD in the Mixed Use Overlay District at 3500 Blue Star Highway, also fronting on 136th Ave in the C-1 and R-1 zones, was opened. Secretary Rausch read the notice published in the newspaper and Milauckas stated that proper notice was sent to the neighboring property owners. Milauckas stated that he owns property across Blue Star Highway from this project and he asked the applicants if they thought this was a conflict of interest. Deb Colvin with Tillman-Colvin LLC said the owners did not think he needed to recuse himself. He also asked the other Planning Commissioners if they agreed, and they did. Milauckas then verified that the residential portion is a condominium. Deb Colvin explained that their other project is Hidden Dunes, which is almost completed. More people are interested in the log homes, and they want to create more of the same. They will be concentrating on the residential portion, but they want to keep control of the commercial parcel. They want to incorporate the wetlands in the marketing, so they will build a boardwalk in the 200' frontage for bird watching. A pool will be added because there is no access to Goshorn Lake. For the commercial part, they were planning office space for their clients, also in log buildings.

Milauckas asked about the existing house belonging to Al VanderBeek and the road that goes through the property from there, and Thom Carpenter, the engineer, explained that VanderBeek at 6440 136th Ave. has an easement to 136th Ave. VanderBeek said he has no intention to bend his right-of-way to 136th Ave. He added

that he also has access to Blue Star Highway. Pete Colvin explained that the easement goes through wetlands and to be legal it would have to have a bridge, which would be cost-prohibitive and would connect Blue Star to 136th and allow people to cut through. Therefore, the developers would negotiate with VanderBeek to give him access to Blue Star with a plan he would agree to after they get preliminary approval.

At 9:00 P.M. Milauckas opened the hearing to public comment, and Harrison asked about the open space requirement and protection of the wetlands. Colvin said they touch no wetlands at all. Harrison asked him to extend the green belt along the C-1 on Blue Star. He also thought the boardwalk should be shorter than 200 feet. Colvin responded that the frontage is 200 feet, but the boardwalk would be shorter, and already reviewed by the DEQ. Rausch wanted to know how the residents on the north of the parcel would get to the pool, and Colvin said there will be paths. He added that there will be no garages, only gravel drives and parking spaces, and only the roadway is paved. The houses would have a 4-5' crawl space, depending on the water table. Milauckas asked where they intended to begin removing vegetation along Blue Star, and Carpenter said at the beginning it would be at the entrance roadway. Colvin said they would come back with a plan for the commercial part later. He added they did not want the commercial traffic going through the residential area. Sisson thought the final plan should give more clarity in landscaping and commercial use, and P. C. might want details on excavation, grading and fill. Milauckas said no vegetation should be removed until the commercial aspect is approved, and the applicants agreed. Spacing between cottages would be 30-60 feet.

Milauckas read a letter from D. Huidema, 6418 136th Ave., who objected to 29 homes being built because 136th Ave. is very narrow and cannot handle the traffic. Huidema said access should be only through Blue Star Highway, and she requested a tree buffer several feet wide along 136th Ave. to shield the existing homes. Darpel asked if they could maintain a 25' buffer along there, and Carpenter agreed.

Rausch made a motion, supported by Darpel to close the public portion of the hearing. The motion carried.

Sisson pointed out that offices are not allowed in C-1 unless by SAU and asked if the applicants wanted to add that SAU application because if the PUD is approved, there could be no SAU afterward. The special use would have to be specified in the PUD. Another public hearing would be necessary for a SAU in the C-1 parcel. Carpenter stressed that they were only here for a preliminary PUD approval and offered to come back with a list of possible uses for C-1 parcel, including those needing SAU, with full knowledge that another public hearing may be needed.

Hanson made a motion, supported by Marczuk, to approve the preliminary plan for King Fisher Cove PUD in the Mixed-use Residential/Commercial Overlay District as complying with Article VIII of the Zoning Ordinance, with the following conditions:

1. That the applicant come to an agreement with neighbor VanderBeek on abandoning the easement across the property;
2. That access to Blue Star Highway from the C-1 parcel be identified;
3. That access between the C-1 parcel and the private road to the R-1 parcel be identified;
4. That a complete list of intended commercial uses for the C-1 parcel be provided;
5. That a minimum of 25 feet of preserved vegetation buffer be maintained along 136th Ave.;
6. That no clearing of trees take place on the C-1 parcel until there has been site plan approval;
7. That paths and trails be identified on the site plan; and
8. That a tree survey be made of those 10"d.b.h. in the areas of disturbance, and that the tree protection zones be identified on the site plan.

A roll call vote showed unanimous approval of the motion.

The site plan for Dancing Horse Vineyards Winery dated February 15, SAU approved on January 24, was next on the agenda. Dan McNulty said the only change would be parallel parking along the building. Milauckas clarified the production of wine before the grapes are maturing. McNulty said he would not be processing grapes on the site until his own are mature, but he would be selling wine made at another vineyard to his specifications. Hanson read all the conditions from the SAU motion, and Darpel recused himself because he was originally noticed for the SAU hearing as a neighbor of the project. McNulty drew arrows to show natural drainage of surface water and said no unnatural structure would be involved in drainage. He said dust control would be applied as needed. Lights on the buildings were shown on the plan, and McNulty agreed to direct them downward. The Commissioners reviewed the standards in Sec. 40-816.

Hanson made a motion, supported by Rausch, to approve the site plan dated February 15, 2005, as consistent with Sec. 40-816 of the Zoning Ordinance. The motion carried, Darpel not voting.

Darpel rejoined the P.C., and Milauckas announced that at the Tri-Community forum it was pointed out that the agricultural zones have been omitted from the map. He said he would try to add rural and rural residential at the April Tri-Community committee meeting.

Milauckas asked the Commission if, on the Zoning Map, they really wanted the C-3 zone to extend so far down into the residential zone at Exit 41. Also the comprehensive plan recommends some zoning changes in the commercial zone. Harrison reported that Klemm's request for a two-story office building next to the Commercial Record building on Blue Star was denied by the ZBA and there are several small commercial parcels on Blue Star like it which can't meet the requirements of the Zoning Ordinance.

Meeting adjourned at 11:00 P.M. The next workshop meetings are Tuesday, April 12 at 6:00 P.M. and Monday, April 18 at 6:00 P.M. The next regular meeting is April 25 at 7:00 P.M.

Betty A. White, Recording Secretary

Sandy Rausch, Secretary

MOTIONS

1. Motion by Hanson/Marczuk to approve amended minutes of March 23.
2. Motion by Rausch/Marczuk to close public portion of hearing on Timberline's PUD with single family homes.
3. Motion by Darpel/Hanson to table to April 25 Timberline's PUD for a new site plan.
4. Motion by Rausch/Darpel to close public portion of hearing on King Fisher Cove mixed-use PUD on Goshorn Lake and Blue Star.
5. Motion by Hanson/Marczuk to approve King Fisher Cove's preliminary PUD plan with several conditions.
6. Motion by Hanson/Rausch to approve site plan dated February 15 for Dancing Horse Vineyard Winery.