

## SAUGATUCK TOWNSHIP PLANNING COMMISSION

November 27, 2006

The Saugatuck Township Planning Commission met on November 27, 2006, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Edris, Hanson, Jarzembowski, Marczuk, Milauckas and Rausch  
Absent: None

Also present: Planner Sisson, Z. A. Ellingsen, Bruce Zeinstra and Michael DeYoung for Rivers' Edge, Steve Smit, et al for Sunil Patel gas station and various members of the general public.

Chairman Hanson called the meeting to order at 7:00 P.M. Edris made a motion to approve the minutes for the regular meeting October 23. Jarzembowski seconded and the motion carried. Jarzembowski made a motion to approve the minutes for the special meeting November 9. Milauckas supported and the motion carried.

Public comment: Patrick Mahoney, 6275 124<sup>th</sup> Ave., Fenntville, said conditions had not been met in the expansion of a building at 6261 124<sup>th</sup> owned by Paul Zehner and wondered how to have them enforced. Ellingsen said these conditions were set by the ZBA. It was suggested that Mahoney call Tedd Oyler, chairman of the ZBA before their meeting January 4.

Hanson invited the representative for Rivers' Edge PUD, Bruce Zeinstra, to present the plan which has been amended again since the October 23 hearing, this time to add 6 units. Milauckas asked if the substantial increase in units from 2 to 6 warranted a renote, and Ellingsen thought so. Sisson said the Planning Commission could discuss this change but not approve it. He added that there is room in the Ordinance for the P. C. to review this preliminary plan prior to calling a public hearing. Zeinstra said the turn-around for the fire department has been added near units 12 and 14, units 1 through 10 have been resized, and a total of 14 units are now shown. Open space is 7.93 acres or 46.1%. Steps have been added to the pathway along the eastern property line to make sure no vehicles can access the beach. Zeinstra said by adding all these units, DeYoung is able to give access to the neighbors to Silver Lake Road. Duplexes will be on the R-2 lots to make 6 dwelling units. Association and developer approval is required to cut down trees of 6" dbh or larger in the open space.

Sisson went through the concerns expressed at the October 23 meeting and said with the addition of more units, a clubhouse, a walkway, a parking lot and docks, he wondered if they were fulfilling the intent of the PUD ordinance, which is to preserve open areas and natural features. He also questioned how many units were allowed in the R-2 portion of the project because there is a discrepancy between the text of the Zoning Ordinance and the Appendix of allowable uses. He encouraged the P. C. to look at the PUD density: number of acres divided by the number of dwelling units allowed in the underlying zoning district. Edris questioned the definitions of "dwelling" as opposed to "dwelling

units” in the Zoning Ordinance. Milauckas pointed out that Sec. 40-275a speaks of single-family residences in R-2 and the Appendix lists No for duplexes in R-2. He also asked where the preserved open space is, besides scattered around the buildings. When Darpel asked how adding 4 units made it possible to allow the neighboring property owners to use the road, DeYoung said he was in a financial predicament and hoped that would alleviate it. Hanson’s concern was how close the neighboring homes are and how much screening was needed, so he did not want trees cut down. He was also concerned about all the easements and the increase in density. The issue of funneling to the lake was discussed and 22 units would be allowed per the lake frontage, but in this project of 14 units only 8 would have access to the four docks. When DeYoung suggested he might return to the original plan which had only 8 units, Hanson thought that might be the easiest solution, as long as he adjusted unit #1 where the setbacks were violated. In that plan the lot owners had lake access through an easement in place already.

When Hanson opened the meeting to public comment, Cindy Tolbert, 6357 Silver Lake Road, right next to the existing home which would be taken down on the panhandle, empathized with DeYoung in his financial trouble, but she said the area near the lake looked clear cut and that made the neighbors nervous. She liked the 8 original units plus 2 R-2 units better than the denser plan.

Gerrit Sturris, 6377 Old Allegan Rd., said when the original plan was proposed, there was to be a deck near the lake, but nothing was said about docks. He wondered if someone could come back next year and ask for something else. Hanson said this happens when projects sell and the new developer wants to change the plan.

Gordon Stannis, 80 W. 40<sup>th</sup>, Holland, who has bought one of the R-2 lots, said the pool would only be built if the decision is made by the association. This project is less dense than the neighboring properties. The pathway where cars have traveled will be a walking path only. Homes will be on the bluff instead of only 75 feet from the water. He maintained DeYoung was making the place better.

Brent Johnson, 6351 Old Allegan Rd., said he didn’t think the neighbors should end up losing green space because this was a bad investment decision on DeYoung’s part. He added that a wetland issue has not been settled; the waterfront is not all usable.

Rausch made a motion to table the Rivers’ Edge PUD amended site plan and Jarzembowski supported. The motion carried. The permitted density in R-2 was left for the Zoning Administrator to research.

Hanson reminded the P. C. that on January 23, 2006, there was a public hearing on Sunil Patel’s proposed gas station at Exit 36 on Blue Star Hwy. At that time, the application was tabled. Notice for this continuation of the discussion was made only to neighbors within 300 feet of the site, upon advice of Sisson.

Steve Smit, Focus Engineering, reviewed Sisson’s memo dated November 22. The entrance drive off Blue Star is 22 feet in width because, Smit says, a tanker truck needs

that width to turn and get to the tanks, but it is no longer a 90-degree angle. He said the curve should discourage drivers from exiting there, and the wrong-way signs shown would emphasize that. This drive has preliminary approval from the Road Commission, and meets Ordinance requirements of 250 feet separation from the Southgate entrance. The next issue was landscaping, and Smit wondered if this project was grandfathered. Hanson said Patel's project was not grandfathered on advice of legal counsel. Sisson said the issue of parking in the front yard was primary, and Smit said if they had to stick to that it would require a complete redesign. Although no floor plan is provided, the interior is all retail space, so the parking space equivalent for that size has been supplied. No exterior retail display is pictured. Lighting is shown attached to building in front and rear, all downward directed. Location of signage is shown, but variations in height and size occur with the oil company chosen. Designing a canopy to blend with the style of the building was complicated by staying within the 14-foot height limit of Sec. 40-730 (13) of the Ordinance and still achieving adequate clearance for the vehicles that might access it, according to Andrew Baer, the architect. Smit suggested he might reposition the building as far towards the front as possible, canopy to north side of it, parking in the rear, but putting the pumps in the rear was out of the question. Darpel thought the entrance drive off Blue Star, being so close to the approach to an interstate, was insane. He preferred an entrance off a service drive internal to the whole development, which he thought was the original design for this whole development but Patel said that might be fatal to the business. Hanson brought up Sisson's objection to the amount of lighting under the canopy, two or three times that needed, for such a rural area. Sisson suggested Patel call the oil companies he is considering and ask for their minimum size of signs.

Darpel made a motion to table the preliminary plan for Patel's gas station. Rausch seconded and the motion carried. Too much glass on the building, exterior retail sales, and reduction of lighting under the canopy were hastily suggested as needed corrections.

Milauckas initiated the discussion of parking/landscaping provisions of the amendments: no more than 20% of parking shall be in the front yard unless the parking lot is designed to incorporate at least 30 s.f. of internal landscape area per parking space. Darpel said he never thought this was carte blanche, but that the P. C. could discuss it with the developer, and then Sybesma came in with 100 % parking in the front yard upon the advice of Sisson. Darpel said he realized the P. C. was trying to eliminate appeals to the ZBA by making such a concession. Growing out of this was a list of Ordinance clean-up areas which need to be addressed by the P. C.

The meeting adjourned at 10:50 P. M. The next regular meeting is December 11 at 7:00 P.M. at Saugatuck High School. The next special meeting with Saugatuck LLC is January 4 at 7:00 P.M. at Saugatuck High School.

---

Betty A. White, Recording Secretary

---

Sandy Rausch, Secretary

## MOTIONS

1. Motion by Edris/Jarzembowski to approve minutes of October 23.
2. Motion by Jarzembowski/Milauckas to approve minute of November 9.
3. Motion by Rausch/Jarzembowski to table Rivers' Edge PUD amended site plan.
4. Motion by Darpel/Rausch to table Patel's gas station SAU and site plan.

**APPROVED**