



PLANNING COMMISSION
REGULAR MEETING
December 15, 2009

DRAFT COPY

Present: Steve Schaftenaar, Bill Cole, Nicki Arendshorst, Ed de Vries, Joseph Lampen, Bob Ellis, Dan Martin, attorney and Eric Davis, Zoning Administrator

Absent: LeeAnne Jachim

Nicki Arendshorst, Chairperson, called the regular meeting of the Park Township Planning Commission to order at 6:30 p.m.

MOTION

A motion was made by Cole and supported by de Vries to approve the agenda as presented.

VOTE

Motion carried: 6-0

MOTION

A motion was made by Schaftenaar and supported by Cole to approve the minutes for the November 17, 2009 regular meeting as presented.

VOTE

Motion carried: 6-0

PUBLIC COMMENTS

No one spoke.

AGENDA ITEMS

Item #1 Oath of Office

E.O. Keeter administered the Oath of Office to the Planning Commission members.

Item #2 PUD Preliminary – Pt. West I, LLC – 2365 S. Shore Dr.

Arendshorst stated that she had a conflict of interest because she and her husband own a cottage near the notice area for the proposed project. She stated that the applicant asked that she step down. She gave a brief explanation of the Planned Unit Development (PUD) process and explained that this process will most likely run several months. She stepped down for the item.

MOTION

A motion was made by Cole and supported by Schaftenaar to accept the recusal of Arendshorst.

VOTE

Motion carried: 5-0

Joe Lampen, Vice-Chairperson, assumed the chair position for item #2. He explained that no decision would be made tonight but rather recommendations would be given to the applicant. He stated that the public hearing is not required when the PUD is submitted for a final review but the Planning Commission (PC) will be reopening the public hearing at that time to give the public a chance to voice further opinions and concerns.

Greg Raad, Nederveld Associates, introduced the team that was with him. He gave a Power Point presentation showing the history of the area and the current state of the area. The property contains 8.32 acres and is zoned C-2 and is surrounded by R-4 zoning. He stated that the applicant is allowed the density that is allowed by a parallel plan. Using some of the uses currently allowed in a C-2 zone, they worked to find what the allowable density would be. For a hotel resort it would be one hundred (100) units with one hundred (100) parking spaces plus a restaurant seating eighty to one hundred (80-100). The former Pt. West Motel was seventy (70) units with a restaurant that sat approximately three hundred (300). For a multifamily residential development seventy-two (72) units would be allowed by ordinance. He explained their parallel plan. He stated that this is how they came to a density of sixty-nine (69) units for their proposed project. Their plan would include 230 parking spaces which would allow for one parking space for each proposed boat slip in addition to the required residential parking spaces. They are proposing 8.3 units per acre. He stated that according to their calculations the existing nearby cottages are 8.2 units per acre.

Raad stated that the vision is to preserve the history of the area and build something that would blend with the existing cottages and look similar in the years to come. He stated that they had nine design elements to consider: neighborhood-scale, good vehicle access, good pedestrian access, detached cottages, attached cottages, (hidden) parking, preserve the history with a building similar to the old hotel, neighborhood amenities/conveniences, neighborhood green/park, boat slips and waterfront access for the cottage association. He stated that they have removed 20,000 square feet from the plan that was presented to the cottager association in August, 2009. He stated that the single family detached cottages would be approximately thirteen (13) feet apart. He clarified that the small southern “tag” of property that is zoned R-4 was not included in the PUD.

Raad stated that the ordinance would, by definition and approval, call the proposed boat slips a marina, but this would be limited to boat slips for condo owners. There would be no services like a normal marina has. He explained the riparian limits and explained that they are working with the Corps of Engineers and Michigan Department of Environmental Quality (MDEQ). He explained the parking for the boat slip area.

The gate area would be improved by a second authorized gate. The pedestrian walkway would go in front of the guard house and would be separated from the vehicular traffic. The roads would be widened to twenty-six (26) feet of drivable surface. No parking would be allowed on the road. The middle road down the green would be beefed up with concrete under the grass to accommodate a fire truck. This plan has been designed and discussed with Park Township Fire Chief Scott Gamby. There are nine recommendations from a fire prevention perspective. All of the new units would be sprinkled, alarmed and strobed. He stated that the entire Macatawa Cottager Association has had the same recommendations made to them.

Raad stated that there are proposed sidewalks in the project and through the use of landscaping they are going to try to encourage pedestrians to stay off of the roads. He stated that the “commons area”

has not been defined as yet. Regarding the Lake Macatawa water front two-thirds would be impacted by structures.

The single family building envelopes would be 70'x24' with thirteen feet (13') between houses. There would be room for two parking spaces between the sidewalk and the house. The refuge area would have a "green roof" so that it blends in better from above. The grade of the road coming down from the hill would be softened and would possibly have a snowmelt system.

Raad explained the parking plan. There would be 278 total spaces, including the indoor spaces. He clarified that they have no intention of building eighty (80) boat slips right away. That would be staged and built as needed by demand. He acknowledged that there would be some added traffic. He stated that 74% of the "new" vehicles would never cross Michigan Walk because they would come in at the gate and would go straight into the parking garage. He explained the landscape plan. He stated that the hillside building would be rebuilt.

Raad stated that the project would be very environmentally efficient. The marina would have a "Clean Marina" designation. The storm water has to discharge immediately. It cannot be retained on site. There would be grease and oil interceptors and filters for the water discharging to Lake Macatawa. Regarding the flood plain he stated that it would not have an impact on this project. He stated that a benefit to the community is the opening of a private piece of waterfront property and opening it to all the cottagers.

Lampen asked if any PC members had questions about the parallel plan.

The PC members asked clarification questions on square footage of the parallel units, the layout of the units, the numbering of the units, etc.

Ellis asked for clarification on the 8.3 acre measurement.

Raad stated that the hillside is included in the measurement but the beachfront property along Lake Michigan is not.

Lampen questioned the parallel plan being two parcels.

Davis explained that a multi-family use PUD is limited to property less than five acres in a C-2 zone, so parcels less than five acres in size were used to show the parallel plan.

Martin stated that the applicant has the legal right to split this property. He stated that the more fundamental issue is whether the density of multi-family is the equivalent of the density of single-family. The minimum size for calculations is different for the two unit types.

Ellis stated that he thought that the density is the key issue to come to agreement on before proceeding further. A discussion ensued.

Martin stated that perhaps the PC could be ask for a parallel plan based partly on single family density.

Raad stated that the proposed project does have both single and multi family units. He clarified that this area has many approved variances for people to build on small lots.

Lampen asked if the building proposed in the parallel plan would be allowed as a 2½ story building.

Davis stated that it would be allowed.

Lampen asked if the gate is within the PUD boundary.

Raad stated that it is owned by the applicant, but is not within the PUD boundary.

Lampen asked about the “control” of the gatehouse.

Raad stated that the gate area is part of the cottager association.

There was a discussion on the roads, the association, the PUD “control”, etc.

Cole asked for clarification on the how the density for the proposed cottages was calculated and how the existing cottage density was calculated.

Ellis wondered if the PC wanted the applicant to bring a different parallel plan showing both single and multifamily units.

A short discussion on density ensued.

Ellis asked if there had been any borings relating to the water table.

Jack Baar, Nederveld & Associates, stated that soil borings had been done and they know the elevations of the lake and the surrounding area. He stated that he didn't know if Lake Macatawa had ever crested the seawall because he did not have the historic water levels. He stated that the seawall would be raised up to an elevation of 587 and then backfilled behind it. The lowest level of any unit floor would be two feet above the flood plain.

Ellis asked that they look into the historic lake levels, particularly in light of the flooding that occurred to the east last summer. He asked if the parking garage would have any way of moving water out of the garage should it be needed.

Baar stated that, based on their testing, that would not be needed.

De Vries stated that a seven inch (7”) rain combined with snow melt could make it necessary.

Raad stated that they would look into it.

De Vries asked about the 13-foot setback between the single family structures. He stated that unless they were looking at a fireproof exterior he would like to see them spaced further apart.

Schaftenaar asked the height of the hillside structure.

Raad stated that the existing steel structure is fifty-three (53') above grade. The proposed structure would be seventy feet (70') to the main ridge. The main peak would be eighty-nine feet (89') above grade. The proposed grade would be approximately five feet (5') above the current grade. This would place the top of the proposed structure ninety-four feet (94') above the current grade. The hill is over one hundred feet (100') high. Part of the structure would be above the crest of the hill on the west end.

No other proposed structures would be over thirty-five feet (35'). He clarified that they are asking for three full stories on the buildings.

Lampen asked an approximate total square footage of the units in the parallel plan. He stated that he would like to see that compared to the proposed total square footage.

Raad stated that he did not have that data at hand.

Lampen asked if the overall gate entrance area would be widened.

Raad stated that it would only widen slightly. The elements would shift.

Lampen asked about "No Parking" signs.

Raad stated that all fire lanes would be posted "No Parking".

Cole asked for clarification about the parking at the west end of the property.

Mark Harmsen, representative for the developer, stated that Pt. West I owns the walkway and there is an easement for the parking.

Cole asked if the hillside structure would expand laterally.

Raad stated that it would extend outward from the existing steel structure. There would be a portion of the parking garage that would be above the walkway as you walk towards Lake Macatawa.

Cole asked about water service.

Raad stated that this would be serviced with municipal water and sewer.

Cole asked how old that infrastructure was.

Baar stated that the as-builts are from the 70's.

Cole asked if the system would be looped.

Baar stated that they would reroute around the proposed structures.

Ellis stated that the township is looking to preserve some view sheds in the future. He stated a concern that they have structures proposed for being right in the center of the view shed of Lake Macatawa. He asked for clarification on the associations.

Harmsen clarified that there are currently agreements in place. He stated that they would be willing to share the documents with the PC. He stated that there would probably be five or six new associations created.

Ellis stated that he would like to see those agreements and the condo documents.

Schaftenaar asked if there would be public access to the walkway in front of the cottages on Lake Macatawa.

Raad stated that there would be.

The public hearing was opened at 8:30 p.m.

Dan Mitchell, 2433 Michigan Walk, stated that he felt that there was a large area of the applicant's property that was undevelopable that should be taken out when figuring density, leaving only 4.75 acres (this includes roads). He stated that the "taxable acreage of Point West is 7.01 acres".

Tim Hemingway, 2442 Blue Bell Ct., asked what the justification is for a PUD. He stated that the applicant is asking for a considerable relaxation of the rules. The master plan calls for low-density residential in this area, which is approximately three units per acre. He stated that no building in Park Township is allowed to be greater than thirty-five (35') feet tall. He asked why the applicant can't develop their property in accordance with C-2 regulations. He asked what the township is getting in return.

Steve Pawlaczyk, Atwell-Hicks, consulting land planner, stated that he did a review of the proposal on behalf of cottagers. He reiterated that one of the main concerns is the density. He stated that the density of the entire Macatawa area would be 2.25 units per acre. He submitted a letter, based on his review, showing that the manner in which the parallel plan density was calculated was not accurately based on the Park Township Ordinance. He stated that a PUD is not to be used to increase density.

Eric Steele, 2376 Crescent Walk, stated that mimicking the original cottages isn't a good idea because they are not safe. He asked that the PC stick to good judgment when determining what density is appropriate.

Eric Deaton, 2265 Maksaba Trail, stated that this will impact the dunes. He showed the existing cottages on top of hill as compared to the existing steel structure. He stated that the existing structure would have to be reworked and the MDEQ would become involved. He stated that he felt that the reworking of the gate and the descent from Crescent Walk would affect the dune as well. He stated that he believed that Pt. West I has not made any formal requests to the MDEQ. He asked that the PC require a preliminary approval from the MDEQ.

Ken Mullin, 2406 Griswold Ave, stated that as an architect he thinks that the developer is trying to bundle a lot of variances under the guise of a PUD. He stated that he felt that there are many elements missing: a traffic study, a marketing study, etc.

Doug Leppink, 2407 Interlake Walk, stated that he is opposed to this application because the master plan designates this for a lower density. He asked the PC to look at the plan in light of what is required and desired by the master plan.

John Gronberg, 657 Lakeside Dr., representing the Holland Harbor Lighthouse Historical Commission, asked that the PC continue to keep access to the lighthouse in mind. He stated that he also represents the Macatawa Parking Corporation (MPC) that owns the parking lot directly west of this property. He stated that the MPC feels that because there has been no complaint of the use of part of that parking lot for over thirty years that the right-of-way area has been abandoned by right of adverse possession.

Judith Bergsma, 624 Bay Rd., stated that she felt that this proposal would eliminate the "public/commercial dimension".

Cort Lecklider, 2397 Interlake Walk, reminded the PC that Macatawa is a peninsula. He stated that he takes exception to the fact that the developer wants to bring another 138 vehicles to the peninsula in addition to maintenance workers, etc.

Banba Donnelly, 977 S. Shore Drive, stated that this project would generate an additional 470 traffic trips per day. She urged the PC to have a professional traffic study done.

Bob & Bobby North, 2411 Interlake Walk, stated their opposition because the plan doesn't talk about pedestrian safety. They showed pictures of walking traffic.

Tammy Steele, 2376 Crescent Walk, stated that she is opposed because of the infusion of driveways, cars and curb cuts. Curb cuts affect the safety of sidewalks.

Gina Leppink, 2407 Interlake Walk, stated that her main concern is the years of construction that this project would take. She stated that this would take a toll on the neighbors. She asked the PC "How long is too long for the neighbors to endure this?"

Margaret Sharp, 2399 Interlake Walk, stated that her concerns are the environmental effects on Lake Macatawa and the increased risk of flooding. The water causing flooding comes from the dunes and all of the paving gives it nowhere to go. She stated that she was saddened that this development was not looking at creative ways to deal with water quality and quantity.

Paul Lingeman, 693 Lakeside Rd., stated his opposition. He stated that, contrary to the words of the developer, there is no interest from Macatawa residents in buying any of these proposed units. He reminded the PC that there are already several foreclosures on developments in this area.

Carol Knutson, 941 Indiana, stated that as a realtor she can see the potential for this development, but she also owns a cottage here with her sisters. She gave some suggestions for fire safety, etc. She stated that she thought there should be a professional market study.

Bonnie Gronberg, 657 Lakeside Rd., stated that her concern is the viability of the project and the build-out time. She would like to see a professional market study.

Dave DeBlock, 2426 Griswold Walk, stated that his concern was fire. He gave a history of fires in this area. Density makes the fire issue more critical. This area doesn't have enough fire hydrants and it is heavily wooded with prevailing winds.

Sue Lister, 2437 Bluebell Ct., stated that as an attorney she has looked over case law and Park Township ordinances and the master plan. She asked for a total count of the letters received. She also asked for clarification on the numbers used for the calculations for the parallel plan and the proposed plan. She stated that she envisions a problem with putting year round houses in with seasonal houses. When there are uninhabited houses among inhabited houses it creates vandalism. The cottagers have a hose on their houses to protect against fire.

Sandy Lecklider, 2397 Interlake Walk, stated that she felt that the developer pretends to know the area but his knowledge is based on a book and using the density of the old motel. She stated that the developers have never toured the area or talked to the existing cottagers. They don't understand the type of community that it is. She stated that she felt that the developers should work with the cottagers to design something that fits in here best.

Shirley Swaney, 2381 Interlake Walk, asked why the developers would copy the existing development in the name of blending in. It takes a lot to live in this type of close proximity. She stated that the Point West covenants allow things that Macatawa doesn't. She asked who was going to monitor the RV's, etc. that would be allowed to be parked in driveways for 48 hours. She stated that she thought that the developers should start over and design something that would help preserve Macatawa.

Linda Brand, 2453 Interlake Walk, stated that she felt that this development would have a negative impact on the economy of the area. The PUD would change the character of the community and take away its uniqueness.

Dean Overman, 2434 Interlake Walk, attorney and realtor, stated that he thinks that this is ill-conceived and insensitive to the surrounding area. The PC must look at the master plan and preserve the rural character of the area. The master plan requires the view sheds be looked at by looking at the scale and height of proposed buildings. He stated that he felt that if this is approved and there is a fire; that this approval would constitute a reckless and wanton act.

Cicely Clarke Michalak, 2425 Interlake Walk, thought perhaps a partnership could be formed to plan a development here, using the master plan to retain the integrity of the rural character of the township. A scaled-back plan wouldn't be acceptable. They need to start over.

Mark O'Brien, 667 Lakeside Dr., president of the Macatawa Cottagers Association Board of Trustees, stated that the developers have been working with Pt. West for a year and Pt. West has shown sensitivity to many of these issues. He stated that the trustees voted unanimously (based on the Atwell-Hicks report – submitted to the PC at this meeting) to object to the plan on the grounds that it places an unreasonable burden on the fragile peninsula of Macatawa Park.

Candy Zyck stated that it was her father's house that burned in Macatawa this summer. Water had to be pumped from the lake and her father had to go over to Eldean's in order to be transported by ambulance. It is a bottleneck there and is always a problem. Where are people going to go if there is a disaster?

Bill Tazlar, 2264 S. Shore Dr., stated that the infrastructure isn't there to support this project. The construction equipment would overwhelm the entire Holland south side.

Larry Wiersma, 1131 S. Shore Dr., owner of Wiersma Grocery and a longtime firefighter, stated that Eldean's was pumping thousands of gallons of raw sewage into the substation due to flooding this summer. The infrastructure needs to be checked out. He stated that he has a concern about the lake elevations and proposed seawalls, etc. He questioned what might happen to the lake levels if the locks are closed down to stop the asian carp.

Lampen stated that he was going to adjourn the public hearing until the next meeting.

It was asked if any out-of-towners could be allowed to speak.

Darrel Peters, 2437 Blue Bell Ct., stated that the main issue is the hillside building. He stated that he thought that that is where the profit is. If that building was eliminated, the density would go to something reasonable.

MOTION

A motion was made by Ellis and supported by Schaftenaar to adjourn the public hearing and table the item until next month.

VOTE

Motion carried 5-0

Lampen stated that the township would be working with a consultant on this project and turned the time over to Jerry Felix, township manager.

Felix stated that the township would be working with consulting planner Andy Bowman. Mr. Bouman is the Director of Land Use Planning for the Grand Valley Metropolitan Council. He will conduct a work session and present a report to assist the PC in this process.

MOTION

A motion was made by Cole and supported by Schaftenaar to return Arendshorst to the meeting.

VOTE

Motion carried: 5-0

Arendshorst returned.

Item #3 2010 Planning Commission Meeting Times

MOTION

A motion was made by Arendshorst and supported by Cole to set the 2010 Planning Commission meeting schedule for every third Tuesday, as needed, at 6:30 p.m. at the Park Township Hall.

VOTE

Motion carried: 6-0

ANNOUNCEMENTS

1. It was determined to have a work session with Mulder sometime before the regular January PC meeting.

MOTION

A motion was made by Cole and supported by Lampen to adjourn at 10:26 p.m.

VOTE

Motion carried: 6-0

Sandy Brodie
Recording Secretary