

**Melrose Township Planning Commission Minutes
Melrose Township Hall
Regular Meeting of March 25, 2019**

I. CALL TO ORDER / ROLL CALL

A. Call to Order: Chair Bart Wangeman called the meeting to order at 5:30PM.

B. Members present: Bart Wangeman, Phyllis Cotanche, and Bob Bourassa.

C. Members absent: Charles Zimmer (Excused). Sue Barr submitted a letter of resignation this afternoon and the Commission accepted it with regrets. They thanked Sue for her service.

D. Staff present:

Zoning Administrator Randy Frykberg and Recoding Secretary Tom Mackie

E. Also present: Citizens per attached sign-in sheet

II. APPROVAL OF AGENDA

The Tentative Agenda was approved by consensus.

III. APPROVAL OF MINUTES

Phyllis Cotanche motioned, Bob Bourassa seconded, to approve the February 4, 2019 meeting minutes as presented. All ayes, motion carried.

IV. NEW BUSINESS

A. Public Hearing for Preliminary Village PUD application by Walloon Lake Holdings, LLC

Bart indicated Randy will first introduce and describe the application. The applicant will then have an opportunity to describe his plan. The Public Hearing will then be opened, and anyone will be allowed to speak, beginning with those in favor or having questions, and then those opposed. After everyone has had an opportunity to address the Commission the public hearing portion will be closed, and the Planning Commission will begin deliberations.

Randy explained Jonathon Borisch's village development began in 2012 with construction of the marina and restaurant. All existing development has been accomplished through straight zoning (use by right) but density regulations for the currently-proposed housing units as well as multiple zoning districts suggest a Planned Unit Development (PUD) is the preferred way to proceed. PUD's are permitted in any zoning district as a special use.

Following public notice, and 300-foot mailings to affected property owners, Randy received several letters, emails, and phone calls (correspondence attached to minutes). He summarized the main concerns as:

- No apparent off-street rear entrances for the multi-purpose building proposed along M-75. The concern is with parking, safety, and traffic issues if delivery trucks park on or at the side of the highway.
- Visual screening of the development from neighboring residential property.
- Adequacy of parking.
- Water quality and stormwater runoff.
- General requests for more information.

Randy noted this is a preliminary PUD review and suggested it does fit the intent of PUD regulations and is in keeping with the commercial character of the village. His preliminary findings are included in his March 18th memo to the Planning Commission (attached).

Applicant representative Jonathon Borisch then used projected drawings to identify and describe the structures and other features included in his proposed phased development. Initially, a multi-purpose (Commercial and higher-end residential) building would be constructed adjacent to M-75 and south of the boat launch parking lot. Phase 2 would include 3 less expensive residential structures to the east and behind the parking lot. Subsequent phases would include worker housing in the south-east parcel (commonly known as the snakepit property) and an additional structure directly north of the Village General Store, encompassing the former Johann's and Pop-up shops.

Bart opened the Public Hearing at 5:50 PM and asked for comments in favor or general questions.

Gary Scholl asked if the housing units would be rented/leased or sold. Jonathon responded they would be sold as condominiums, with PUD and Housing Associations responsible for maintenance and upkeep. These Associations would be funded by owner dues.

Jane Scholl (representing the Village Resort Association) asked about condo pricing, marketing, and any potential for owners renting them to others. Jonathon estimated the higher-end units fronting on M-75 would sell for \$300,000 while the others will be in the \$80,000 to \$150,000 range. They would all be marketed to anyone and everyone. Hopefully the more affordable units would be occupied year-round, but seasonal or occasional use could probably be expected for the high-end units. No rental of the high-end units would be allowed, but no decision has been reached on the others.

Robin Hissong Berry emphasized our need for work-force housing and suggested a business owner may purchase them for their employees.

Bob Vratana asked if the township's sewer system has enough capacity to support this level of development, and if the plan provides sufficient parking to meet zoning standards. Jonathon responded the sewer system could currently support the proposed building on M-75 only. This development would help pay for the already-planned sewer system expansion. He also stated the plan provides for all required parking, and identified these areas using a computer-projected drawing.

Trish Conti expressed support for the condominium approach rather than apartments and asked about visual screening for residential neighbors. Jonathon responded the details are not fully developed yet but would be included in the final application.

Jonathon acknowledged the retail portion could be utilized as professional office space, but he preferred to pursue a retail use.

Jonathon addressed Jane Scholl's question concerning the look of the buildings' façade using a computer-projected rendering.

Bob Vratana expressed a need for screening/buffering from existing residential back yards.

Jane Scholl asked if the only vehicle entrances would be the existing driveways off M-75. Jonathon responded this will be the case as the plan stands now.

Gary Scholl suggested some type of traffic light at the main entrance and Bart suggested MDOT could be asked to consider this. Randy noted this would be considered an off-site requirement the Planning Commission cannot impose.

Bill Goldsmith asked how high the proposed structures would be. Jonathon responded they will all be 3 stories and 33 feet high at the roof's mid-point, about the same as the hotel. This was followed by a review of several computer-projected elevation drawings.

Trish Conti asked if the residential buildings could be constructed more to the south to provide additional separation from existing neighboring residential uses. Jonathon responded most of this area is wetlands, but they may be able to move the buildings a little.

Ivan Bearup expressed a concern for additional traffic. Applicant's Engineer, Aaron Nordman, stated there will be a negligible impact on existing traffic and the carrying capacity of the highway, but vehicle flow and pedestrian traffic needs to be considered. This was followed by a general discussion of traffic volume and speeds in the village.

Jane Scholl asked if off-street parking will be available for the retail and restaurant customers. Jonathon responded affirmatively.

Leonard Meadows stated we no longer have a small village and read a letter (attached to these minutes) from Tip of the Mitt Watershed Council stressing the importance of stormwater management. Leonard then suggested an existing drainage ditch is the source of recent sediment in Bear River and the recent removal of a beaver dam had caused the river to run black for a while. Bart noted Charlevoix County is the policing authority and oversees maintenance requirements. The Planning Commission can't really address this beyond referring concerns to the county. Leonard proposed stormwater management be required in any development plan and suggested piping stormwater directly to the river would prevent it from picking up silt.

Bart closed the public hearing portion of the meeting at 6:38 PM.

Randy reviewed the 5 main PUD objectives from section 14.0 of the zoning ordinance and suggested the main issue in our discussion is whether the plan appears to meet these objectives.

Bart asked if establishment of a PUD would replace existing parcel lines. Randy explained that parcel lines establish ownership but are not applied to zoning.

Bart asked if development and ownership proceeded as condominiums, could things take place not currently allowed by straight zoning. Randy responded a PUD allows density waivers and clustering, but other aspects would not change. He also noted individual parcels within the PUD could be sold.

Randy then noted the 50-foot setback requirements for a PUD can be reduced for the front (M-75 highway side) only. He stated the multi-purpose building proposed on M-75, as well as another proposed building next to the General Store, could not be constructed as a PUD because the 50-foot perimeter setback could not be met. This led to a general discussion on the intent of PUD setback language in the zoning ordinance. Although the language allows for setback waivers, the Planning Commission concluded this only applies to development within the PUD and does not include perimeter setbacks from adjoining property.

The Commission discussed the proposed PUD boundary lines and concluded many concerns could be alleviated if the west boundary was moved farther to the east, so that proposed development along M-75 was not included in the PUD and could be considered under straight zoning.

Bart noted the regulations limit total height to 35 feet. The proposed development calls for 33 feet to the roof mid-point which would result in the maximum height exceeding what is allowed. Randy suggested this would require a variance be granted by the Zoning Board of Appeals. Aaron Nordman suggested the zoning ordinance permits the Planning Commission to adjust requirements for both height and perimeter setback.

Randy expressed concern for limited access by trucks to the site off M-75. Jonathon acknowledged a need for off-street parking of delivery trucks.

We then proceeded to a review of the 5 Special Use Standards in section 10.2

1. *“Designed, constructed, operated and maintained to be harmonious...”* All agreed the standard is met.
2. *“Location, size, nature and intensity designed not to be detrimental to the neighborhood...”* Plans for the multi-purpose building need to provide a rear entrance as a loading zone even if this is not included in the PUD.
3. *“Served adequately by essential services...”* Permits for actual construction will only be issued as services (sewer and water) become available.
4. *“No excessive additional public cost and not detrimental to environment”* All agreed the standard is met.
5. *“Consistent with intent and purpose of ordinance”* All agreed the standard is met.

We then proceeded to a review of the 16 PUD Standards in section 14.10

1. *“Consistent with Master Plan...”* All agreed the standard is met.
2. *“Designed, constructed, operated and maintained to be harmonious...”* All agreed the standard is met.
3. *“Landscaping to provide buffering and be consistent with pedestrian movement”* No landscaping plan is provided but will be required for final review. Jonathon agreed to provide walkable plans once the structure location is finalized.
4. *“Vegetation maintained...”* No plan is provided but will be required for final review.

5. *“Essential character and consistency with Master Plan...”* All agreed the standard is met.
6. *“Not hazardous to adjacent properties...”* Plans for screening and resolution of any stormwater runoff issues need to be addressed for final review.
7. *“...demand on public services...”* Sewer and water limitations as discussed earlier.
8. *“Preservation of public vistas...”* Over 50% of the property will remain dedicated as open space.
9. *“... safe and convenient vehicular and pedestrian traffic integration with abutting property...”* Plans will need to be provided for final review.
10. *“... safe and convenient vehicular and pedestrian traffic integration within the development...”* All agreed the standard is met.
11. *“Stormwater runoff controls for adjacent property...”* Regulations in the Uniform Stormwater ordinance must be followed. Plans must be provided for final review.
12. *“Buildings reasonably harmonious with buildings in the surrounding area...”* All agreed the standard is met.
13. *“Outdoor storage of garbage/refuse...”* Plans must be provided for final review.
14. *“Phased development in logical sequence...”* All agreed the standard is met.
15. *“Fire Chief review for public safety and fire-related issues...”* Will occur if a preliminary plan is accepted.
16. *“Standard of other governmental agencies must be met...”* Will be met prior to issuance of a zoning permit

Bart Wangeman motioned to approve Walloon Lake Holding’s application for a Preliminary PUD based on a review of:

- 1. Their application dated 3/2/2019**
- 2. A “Project Development Statement” accompanying the application**
- 3. Their “Impact Statement for Site Plan review” dated 3/1/2019**
- 4. A memo from the Zoning Administrator evaluating the application relative to zoning regulations**
- 5. Drawings and renderings included in the application (typically dated 3/1/2019) depicting site plan layout, dimensioned elevations, and facades.**
- 6. Measurement of the application against the 5 Special-Use standards in section 10.2 and 16 PUD standards in section 14.10 of the Zoning Ordinance.**

Approval is contingent on:

- 1. PUD boundaries are reduced to exclude proposed development directly adjacent to M-75 highway.**

2. Shift the proposed location of residential units in the eastern portion to provide the required 50-foot buffer from neighboring residential uses.
3. Any final PUD application must include landscaping within the 50-foot perimeter buffer.
4. Fire Chief review must be completed before the Planning Commission's final review.
5. The final application must make provisions for parking of delivery vehicles and loading zones for all commercial establishments
6. Provisions for civilian walkways must be included in the final application.

A second was offered by Bob Bourassa.

By voice-vote the motion was approved all ayes.

- V. **UNFINISHED BUSINESS:** No additional discussion on potential Marihuana regulations.
- VI. **OTHER COMMUNICATIONS / REPORTS:** Randy announced an upcoming seminar in Grayling.
- VII. **PLANNING COMMISSIONER COMMENTS:** None
- VIII. **CITIZEN COMMENTS:** None
- IX. **NEXT MEETING:** Scheduled for April 22, 2019
- X. **ADJOURNMENT:** At 8:37 PM

Prepared by

Planning Commission Approval by:

Tom Mackie, Recording Secretary

Bart Wangeman, Chair

Copies: Melrose Township Board, Planning Commission Members, Township web site