

Planning Commission

Regular Meeting Agenda **Thursday, May 7, 2015** **7:00 p.m., Council Chambers**



City of South Haven

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes** – April 2, 2015
- 5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda**
- 6. New Business – Public Hearing**
 - a) A public hearing on Joe Wiltgen's special use permit approval to construct a planned shopping center on his property at 330 Blue Star Highway will be continued from the March 2015 meeting. The hearing is required because the proposed commercial center will have three (3) units. The applicant intends to demolish the building currently on the site and rebuild. This special use hearing is authorized in zoning section 802-1. The parcel number for the project is 80-53-552-016-01.
 - b) A request from the Factory Condominium Association, 125 Elkenburg Street, and the City of South Haven to amend the approved planned unit development (PUD) to allow demolition of the former health club on the property. The parcel number for the project is 80-53-077-001-20.
- 7. Other Business**
 - a) Joe Wiltgen's request for site plan approval to construct a planned shopping center on his property at 330 Blue Star Highway
 - b) Subcommittee report on proposed changes to the R1-C zone.
- 8. Commissioner Comments**

9. Adjourn

RESPECTFULLY SUBMITTED,
Linda Anderson, Zoning Administrator

Planning Commission

Regular Meeting Minutes Thursday, April 2, 2015 7:00 p.m., Council Chambers



City of South Haven

1. Call to Order by Paull at 7:00 p.m.

2. Roll Call

Present: Heinig, Miles, Peterson, Smith, Stimson, Webb, Paull
Absent: Frost, Wall

Motion by Heinig, second by Smith to excuse Frost and Wall for personal reasons.

All in favor. Motion carried.

3. Approval of Agenda

Motion by Heinig, second by Peterson to approve the agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – March 5, 2015

Motion by Stimson, second by Miles to approve the March 5, 2015 regular meeting minutes as written.

All in favor. Motion carried.

5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

There were none.

6. New Business – Public Hearing

Public hearing for Phase 2 of Central Lofts Condominiums, 500 Erie Street. The applicant Erie Street Properties, LLC of Kalamazoo, MI seek to make Phase 2 improvements which include the development of ten (10) residential units in the detached building on Superior Street (commonly referred to as the old VB building). Parking for the units is proposed to be in the lower level of the building.

Because the zoning ordinance requires that condominium reviews be completed in the same manner as planned unit developments, a public hearing is required.

Motion by Smith, second by Heinig to open the public hearing.

All in favor. Motion carried.

Anderson noted that any motion regarding the site plan review of Central Lofts Phase II should be made in the form of a recommendation to City Council.

Anderson: The background of this development began in 2007 when the Planning Commission approved a special use permit to develop condominiums including twenty-two (22) condo units; indoor pool and other amenities. That developer gave up on the project in 2008. In February of 2013, after a second developer abandoned the project, the property was purchased by the current owner. Approval for parking and other property improvements has been made.

Anderson noted that the developer now submits a proposal to convert the former Vocation Building (VB) into ten (10) condominium units with some parking provided on the lowest level. This property was split off from the original condominium with the approval of Van Buren County. Anderson's concern upon learning of this split was that parking was being cut along with open space. After talking to the applicant and after the city attorney and the applicant's attorney communicated on the matter, Anderson learned that easements have been recorded to share parking and open space between the two areas. Anderson noted that Phase II was always part of this project, with the plan being to make this building into condo units with parking underneath.

Anderson explained that ten (10) residential units require twenty (20) parking spaces; seventeen (17) are to be provided in the proposed lower level parking with the remaining three being provided in the main parking lot. There are thirty-four (34) extra spaces in the large parking lot and three (3) will be used to meet this requirement. The applicants were granted a variance for parking space size in 2008 by the Zoning Board of Appeals (ZBA). Anderson reminded that a variance goes with the land and this variance included both the upper and lower lots; variances go with the land, not with the owner.

Anderson recommends approval with conditions, specifically noting any of the city engineer's outstanding issues. In speaking with Larry Halberstadt, City Engineer, Anderson learned that Halberstadt has no concern that the issues could not be addressed and he is currently working with the project engineers. Anderson advised that the board should include resolution of all engineering concerns in any approval. Anderson also recommends that details of wall lights (100% cut off) and any signs proposed, if planned, will need to be included for staff review.

Paull asked if the water connection engineering issue has been resolved.

Todd Olin, Land & Resource Engineering Inc., Grand Rapids introduced Randy Schipper, Attorney and Larry Hollenbeck, representing the developer.

Olin: Noted he has been with this project since the first developers; the drawings have been submitted and have had a comprehensive and thorough engineering review. There is nothing here that we cannot resolve, and Olin explained that the water discrepancy is regarding the size of the water main in Center Street. Olin ordered the original survey and he believes that main is a six inch (6") main; but if it is not, the developers will have to go south to the next water main which is a twelve inch (12") main. "This is not a matter of do we or do we not have water; just a matter of where we connect."

Heinig questioned the statement at the bottom of first page regarding recommending specific site grading close to the public sidewalk. Heinig noted that this should be a requirement and not a recommendation. Olin said he (city engineer and developers) are looking at that; the city engineer are looking at slopes, safety etc. M-DOT sets the requirements and the developers will change the slope or add a barrier based on those requirements as required.

Chairman Paull asked if anyone else was there to speak to this issue.

Shannon Kerry, 500 Erie Street, Unit 114. Owner and President of Condo Association of Central Lofts: This is a transitional board since November 2014. Kerry is speaking on behalf of the association from the perspective of owners of a development which was turned over to them. The failed condominium development needed a developer to purchase the building and sell the remaining units. Stated that the board is grateful to Erie Street Properties LLC for facilitating those sales. Kerry stated, "Our purchase was the first transaction after Erie Street Properties LLC purchased the building; our relationship was not directly with Erie Street but mutually beneficial." Kerry explained that the unit she owns was not purchased from Erie Street Developers but from a private owner.

Kerry noted that she wanted to detail the experience residents have had with Erie Street Properties LLC and Larry Hollenbeck, which purchased the development in 2013 as a successor developer. In July 2013 Hollenbeck added and divided; hired himself as Association Manager with a salary and unit; removed a sentence on the property's master deed from the original developer that required him to pay association dues. Hollenbeck sold and closed many units without escrow funds as required by the Michigan Condominium Act and against the requirements of the escrow group. "Hollenbeck altered our master deed, removing 4 units, \$14,000 per year dues and storage units, using "scrivener's error" as a reason.

Paull noted that although Kerry was given the courtesy of speaking, her comments do not bear on the subject at hand.

Donna Cullen, Condominium unit owner, continued the previous speaker's written comments. She stated that material changes of the master deed require a two-thirds (2/3) vote of association members, which never happened. Members of the association board have not been notified or given a copy of the affidavit; this information was learned from one of the new owners. Storage units were used as an incentive to the thirteen (13) new buyers who purchased units from Mr. Hollenbeck to date as well as private owners who were told they would be built. Storage units are important for owners of units that were designed with no closets. Hollenbeck owns a unit not listed for sale which he keeps for his use. The Condominium Manager has attempted to issue a 1099 and no W-9 was ever issued from Hollenbeck or his accountant. Meters for billing purposes are now

located in the non-association-owned part/unit of the development and Hollenbeck has threatened to hold it for ransom. The parking lot is not completed, something about the snowplowing charges, Based on residents' experiences with Larry Hollenbeck and Erie Street Developers, the city should expect a difficult time finding reputable vendors.

Larry Hollenbeck, Developer Representative for Erie Street Properties. Hollenbeck stated that he had not intended to speak tonight but wanted to clarify that he took over a very difficult property that sat in this town for ten (10) years in foreclosure and disarray. It has been hard to get this property where it should be. He stated the past developers have done a great job cleaning up the property so development could continue. The association has been turned over to the homeowners who have decided not to ask us questions or deal with us; they have disassociated from the developer and that's their choice. The developers will do our best to bring this property to taxpaying status and appreciate your help with doing that.

Randy Schipper, Attorney representing Erie Street Properties. Has three (3) decades of real estate law experience. Stated there are many Issues due to this being a failed project because Condominium Project law was not written with the idea that projects would stall, much less stall for numbers of years. He wants to correct errors regarding the amendment that added storage units; stated that Larry Hollenbeck still plans to build them, but he is not required to build them. "It's a question of how and when that happens, due to condo law."

Motion by Smith, second by Stimson to close the public hearing.

All in favor. Motion carried.

Smith: "I am pleased that it is finally getting finished. I was here when it started. It's nice to see the parking lot finished; it looks a lot better."

Someone in the audience spoke out about the parking lot not being finished and was informed by Paull that the public hearing had been closed.

Heinig: Has a major issue with the flood hazard area being encroached upon by the fill. "Have you applied for a permit from the Department of Natural Resources (DNR)?"

Todd Olin: "There is no permit required." The developers are planning to submit additional information. An elevation certificate was submitted from FEMA but when the result from them was sent out it was sent out to an address unknown to us; we do not know where it went. The road commission drainage ways which caused flooding are now closed and a significant system is in place in that low area including a sixty inch (60") pipe and entire system. An established floodplain engineer and the city engineer are working with us; we are going a foot above the floodplain. "We just have to get that certificate to Larry Halberstadt."

Paull stated that it will be important, whatever motion you make, that you be sure answers to some of the issues that have been raised be resolved before a building permit is issued. Anderson said the motion should make clear that the issues referred to as needing resolution are the engineer's issues.

Motion by Smith to recommend to city council approval of the site plan for Phase II, Central Lofts, with the following conditions:

1. All engineering issues will be resolved before any permits are issued.
3. Details of any wall lights or signage proposed shall be approved by the Zoning Administrator prior to final approval.

Second by Heinig.

A roll call vote was taken.

Ayes: Heinig, Miles, Peterson, Smith, Stimson, Webb, Paul

Nays: None

Motion carried.

7. Commissioner Comments

Smith: Happy Spring

There were no other comments.

8. Adjourn

Motion by Heinig, second by Peterson to adjourn at 7:28 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,
Marsha Ransom
Recording Secretary

Planning Commission

Staff Report



**Agenda Item #6a
JWILCO
Special Use Request**

City of South Haven

Background Information: Joe Wiltgen, representing JWILCO, is requesting a special use permit to construct a planned shopping center on his property at 330 Blue Star Highway. This permit is required because the proposed commercial center will have more than two (2) individual units. The applicant intends to demolish the building currently on the site and rebuild. This special use hearing is authorized in zoning section 802-1.

This matter first came before the planning commission at the March 5, 2015 meeting. The public hearing held at that time was continued to this meeting. Since then the applicant has made some revisions to the plan and no longer needs the side variances. The plan also moves the parking behind the right-of-way line. Variances are still needed for the front and rear setback.

Recommendation: Any special use approval of this project will need to be contingent on final approval by the city engineer and the approval of side and rear variances by the zoning board of appeals. The applicant is scheduled to appear before the ZBA on April 27th.

Support Material:

Application
Site plan
Exterior elevations
Aerial photo
Case Summary

Respectfully submitted,
Linda Anderson
Zoning Administrator

BUILDING & ZONING PERMIT APPLICATION
CITY OF SOUTH HAVEN
BUILDING DEPARTMENT
539 PHOENIX STREET, SOUTH HAVEN, MICHIGAN 49090
FOR INFORMATION CALL 269-277-8573

**Incomplete Forms Will NOT be
Approved or Processed**

Project Address: 330 Blue Star Hwy South Haven MI 49090

Tax ID 80-53- (If property is part of a PUD or condominium development, confirmation of parcel number from the Assessing Department is required)

Applicant: Joe Willtgen Property Owner: Joe Willtgen

Appl. Address: 518 W. Michigan Ave Owner Address: same
South Haven MI 49090

Applicant Phone: 269-208-4687 Owner Phone: 269-208-4687

Current Use of Property: car wash Zoning District of Property: _____

Project Description: Plan - strip mall 4 unit

Contractor: Joe Willtgen Lic. No. _____

Liability Carrier: _____ Fed ID or SS: _____

Total Value of Construction (Materials and Labor, Building Permit Only): ~~200,000~~ 150,000

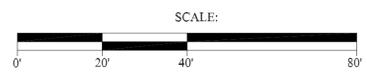
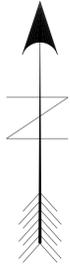
Is property subject to an association? Yes ___ No (If yes, attach letter from association)

Is property currently served with city water and sanitary sewer connections? (Letter from city engineer req'd.)

I hereby authorize the Zoning Administrator, Building Inspector or other authorized representative of the City of South Haven to enter and inspect the above property for the purpose of inspection of the premises.
AFFADAVIT: I certify and affirm that I am the property or building owner or owner's authorized agent and that I agree to conform to all applicable laws of this jurisdiction. I also certify that this application is accurate and complete. Section 23A of the State Construction Code Act of 1972, Act No. 230 of the Public Acts of 1972, being Section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of the state relating to persons who are to perform work on a residential structure. Violators of Section 23a are subject to civil fines.

OWNER'S SIGNATURE: Joe Willtgen DATE: 2-10-15

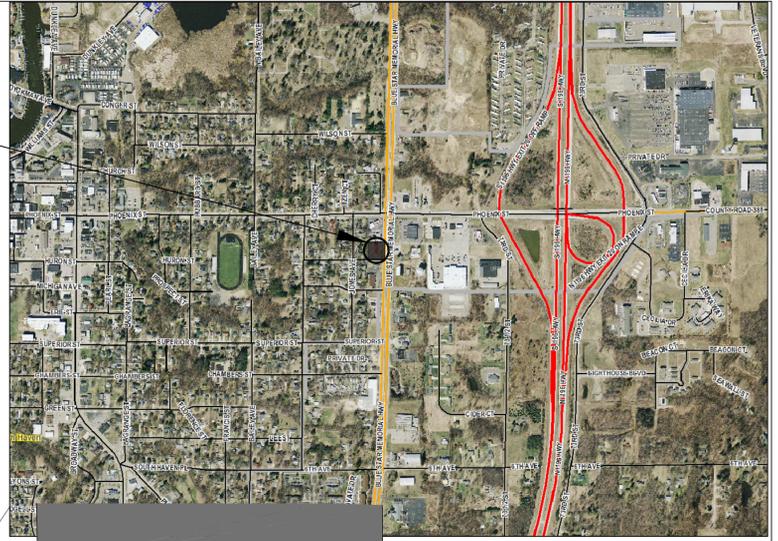
APPLICANT'S SIGNATURE: Joe Willtgen DATE: 2-10-15



- NOTES:**
- PROPERTY IS CURRENTLY ZONED B2 GENERAL BUSINESS PART OF THE M-431-196 BUSINESS LOOP CORRIDOR OVERLAY ZONING DISTRICT
 - BUILDING SETBACKS:**
FRONT YARD OVERLAY- 25' (NEED VARIANCE TO PLACE PARKING IN OVERLAY AREA)
REAR YARD - 25' (NEED 8' VARIANCE)
SIDE YARD - 20'
 - FIRE PROTECTION TO BE APPROVED BY FIRE MARSHAL
 - UTILITIES**
A. SEWER AND WATER- MUNICIPAL SEWER & WATER
B. ELECTRIC- CITY OF SOUTH HAVEN
C. DRAINAGE TO BE APPROVED BY CITY OF SOUTH HAVEN & VBCRC. DETENTION SYSTEM TO CONTAIN 25 YEAR STORM WITH 6 INCH RELEASE TO VBCRC DRAINAGE STRUCTURE.
 - ALL EXTERIOR LIGHTING TO MEET SECTION 1710 EXTERIOR LIGHTING OF THE CITY OF SOUTH HAVEN ZONING REQUIREMENTS. ALL SITE LIGHTING SHALL BE SHIELDED DOWNWARD FROM ADJACENT PROPERTIES AND ROAD RIGHT OF WAY'S LIGHTING TO BE 400W HPS 277 VOLT, DOWN TYPE WITH 100% CUTOFF. LIGHTING TO BE MOUNTED ON A 20' STEEL POLE. LIGHTING MOUNTED ON BUILDING TO BE 100W HPS 277 VOLT.
 - PARKING**
REQUIRED - 1 SPACE/200 SF OF USABLE FLOOR AREA & 1 SPACE/EMPLOYEE @ 4355 SF OF USABLE FLOOR AREA = 22 SPACES
TOTAL REQUIRED = 22 SPACES
PROVIDED - 23 SPACES
 - CONCRETE CURB & GUTTER TO BE PLACED AT ISLANDS AND ENTRANCES
 - ROOF DRAINS TO TIE INTO PROPOSED STORM SYSTEM. DOWNSPOUT LOCATIONS NOT YET DETERMINED.
 - ALL PROPOSED SPOT ELEVATIONS ARE AT FINISHED PAVEMENT OR CONCRETE GRADE UNLESS NOTED AS T.C. (TOP OF CURB)
 - ALL SANITARY SEWER AND WATER MAIN TO BE CONSTRUCTED PER CITY OF SOUTH HAVEN SPECIFICATIONS
 - SIGNAGE AND PAVEMENT MARKINGS SHALL CONFORM TO THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES

DESCRIPTION OF PROPERTY:
LOTS 12, 14, AND 16 OF BLOCK 2 OF M. JONES ADDITION TO THE VILLAGE (NOW CITY) OF SOUTH HAVEN, SECTION 11, TOWN 1 SOUTH, RANGE 17 WEST, CITY OF SOUTH HAVEN, VAN BUREN COUNTY, MICHIGAN, RECORDED IN LIBER 1 OF PLATS ON PAGE 76.
TAX ID# - 80-53-532-016-01

SITE LOCATION



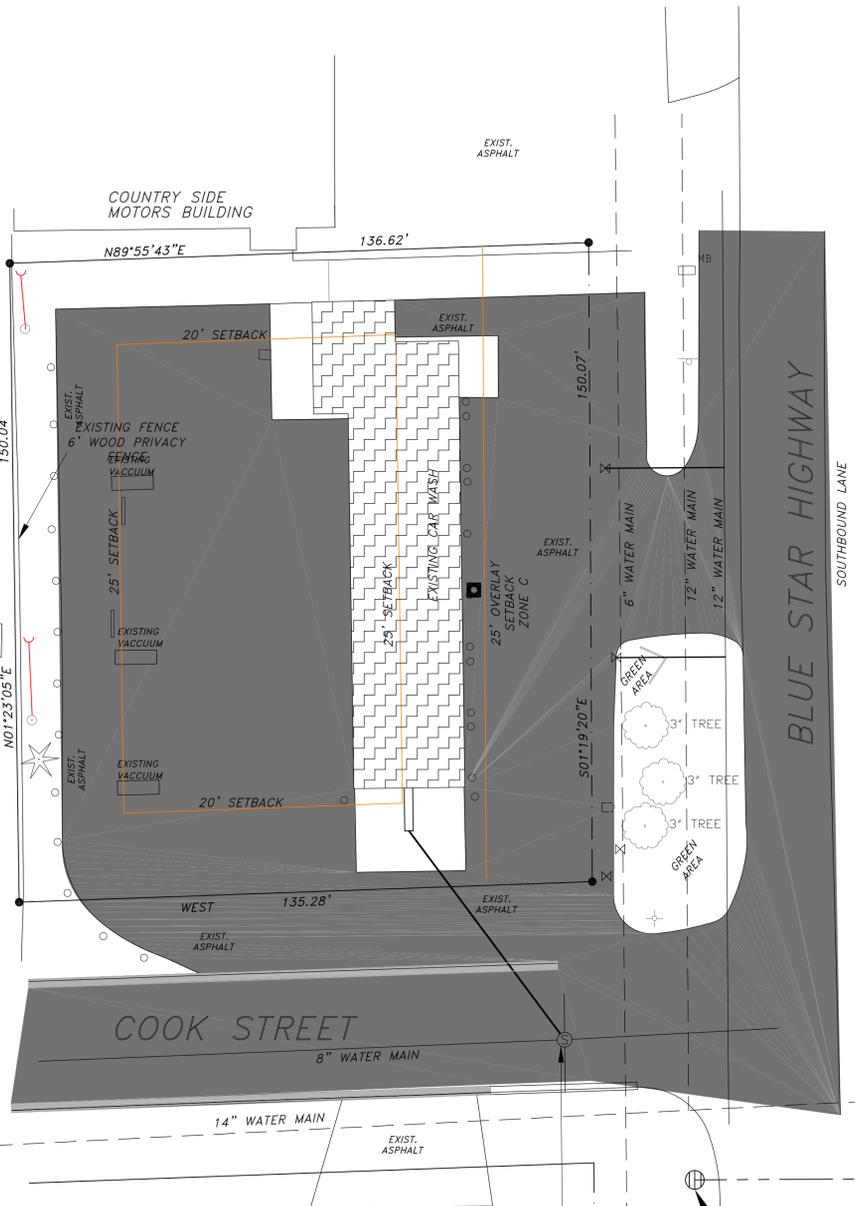
SITE LOCATION MAP

STORM WATER DESIGN:
PROPOSED BUILDING ROOF WATER AND PARKING AREA TO BE STORED IN 4 DIA. LEACHING BASINS. BASINS TO RELEASE TO VBCRC STORM SYSTEM ALONG BLUE STAR HIGHWAY.
TOTAL IMPERVIOUS AREA = 0.31 ACRES
C FACTOR = 0.93
Q OUT = 0.28 CFS (4" OUTLET)
STORAGE REQUIRED = 1088 CFT
STORAGE PROVIDED = 1255 CFT LEACHING BASIN
6 BASINS & PIPE PROVIDED STORAGE = 1120 CFT TOTAL
SOILS ARE A STIFF CLAY.

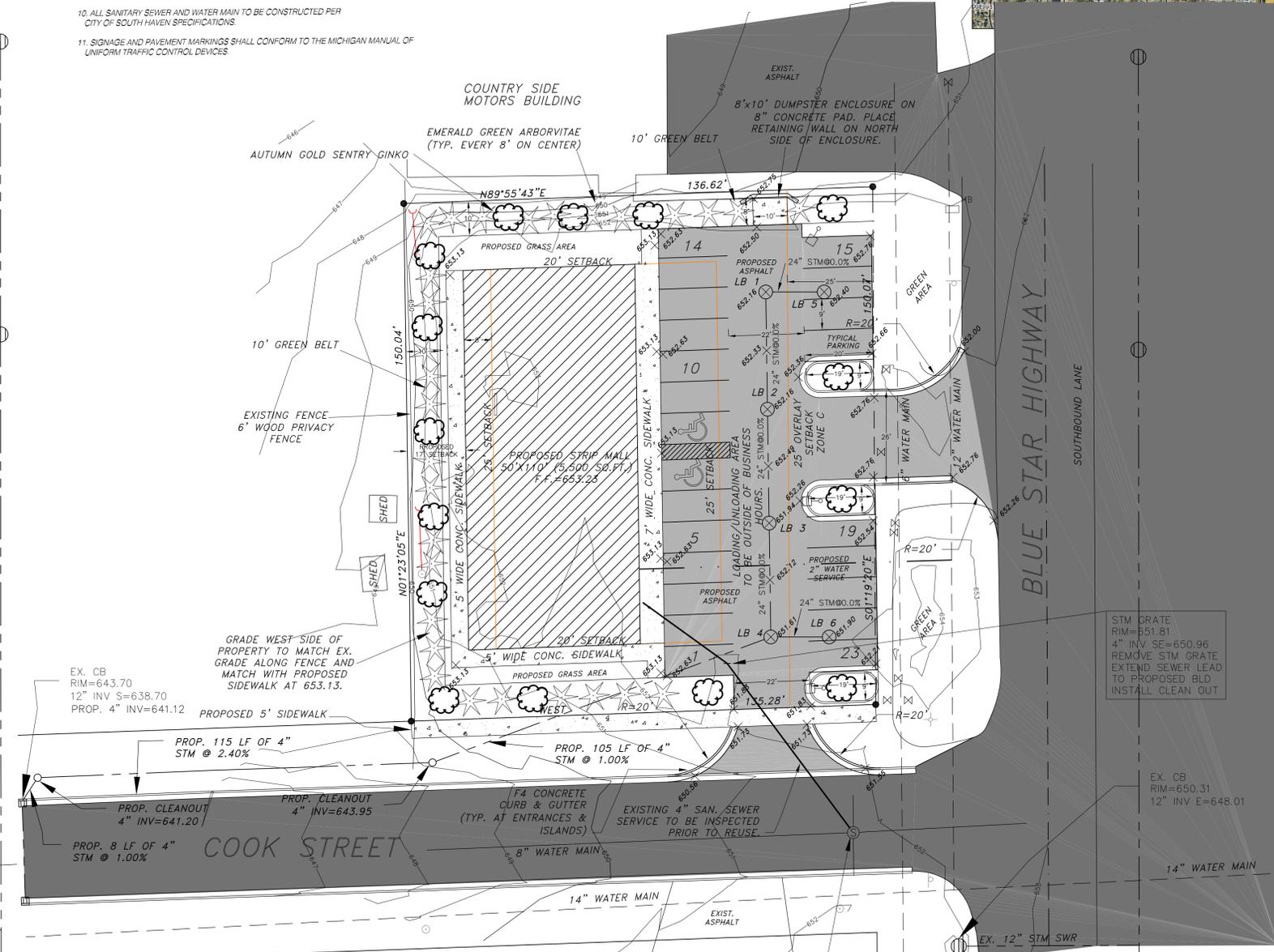
- LEACHING BASIN 1
RIM=652.16
24" INV S&E=646.50
BOTTOM=645.16
- LEACHING BASIN 2
RIM=652.16
24" INV N&S=646.50
BOTTOM=645.16
- LEACHING BASIN 3
RIM=651.94
24" INV N&S=646.50
BOTTOM=644.94
- LEACHING BASIN 4
RIM=651.61
24" INV N&E=646.50
4" INV SW=645.00
BOTTOM=644.61
- LEACHING BASIN 5
RIM=652.40
24" INV W=646.50
BOTTOM=645.40
- LEACHING BASIN 6
RIM=651.90
24" INV W=646.50
BOTTOM=644.90

LEGEND

- SETBACK
- PROPERTY LINE
- FENCE
- EXISTING WATER LINE
- WATER METER PIT
- POWER POLE W LIGHT
- STREET SIGN
- PROPOSED JAPANESE MAPLE
- PROPOSED EVERGREEN
- PROPOSED SANITARY LEAD
- PROPOSED WATER LEAD
- PROPERTY CORNER
- EX. SANITARY MANHOLE
- EXISTING WATER VALVE
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING ASPHALT SURFACE
- PROPOSED ASPHALT SURFACE
- PROPOSED POLE MOUNTED LIGHT



EXISTING SITE



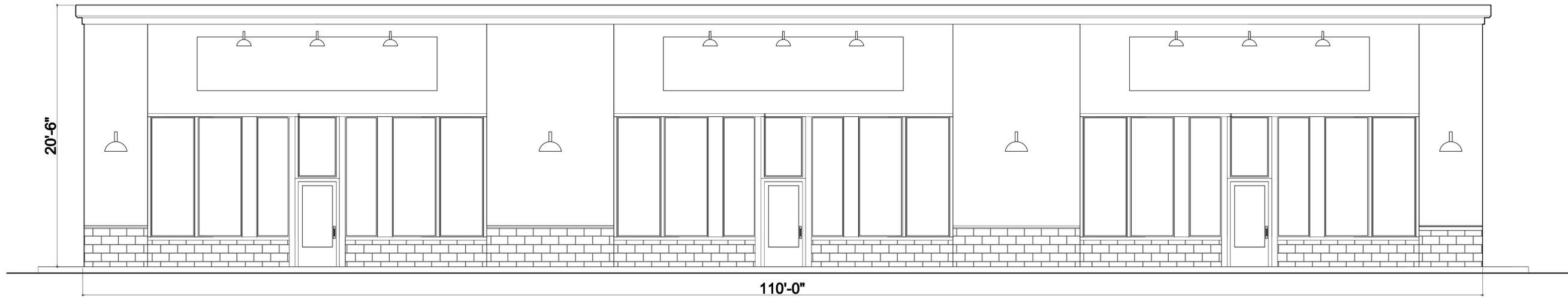
PROPOSED SITE

MCE
MIDWEST CIVIL ENGINEERS, INC.
CIVIL ENGINEERING + LAND SURVEYING + ARCHITECTURE
13560 76TH STREET
SOUTH HAVEN, MI 49090
PH: 269-637-9205
FX: 269-637-9206
SCALE: 1" = 20'
DRAWN: 02/2015

JOE WILTGEN	
BLUE STAR STRIP MALL SITE PLAN	
SHEET 1 OF 2	PROJECT NO. 15-016
REVISIONS: 04/06/15 CHANGES PER CITY OF SOUTH HAVEN STAFF 04/08/15 CHANGED DRAINAGE OUTLET TO CITY SYSTEM	

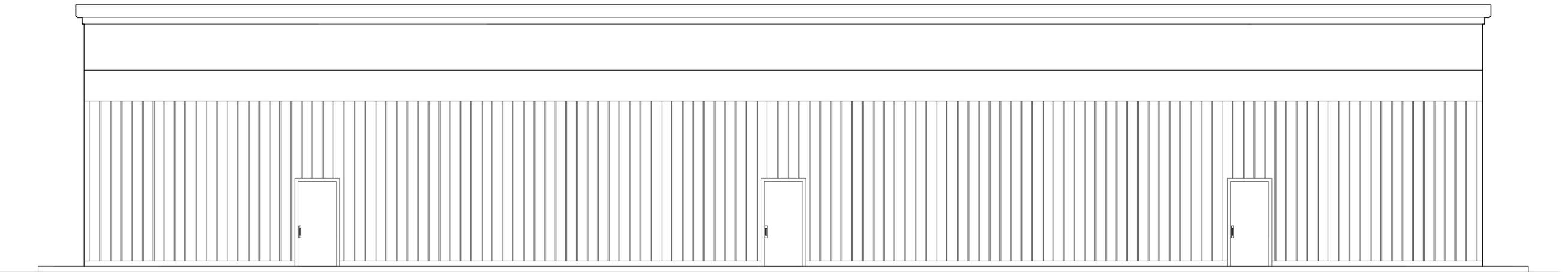
SAN. MH
RIM=651.81
4" INV NW=645.76
8" INV N=641.20
8" INV E=641.59
8" INV W=641.18
8" INV S=641.22

SAN. MH
RIM=651.81
4" INV NW=645.76
8" INV N=641.20
8" INV E=641.59
8" INV W=641.18
8" INV S=641.22



PRELIMINARY FRONT ELEVATION (EAST)

1/4"=1'-0"



PRELIMINARY BACK ELEVATION (WEST)

1/4"=1'-0"

General Notes

Joe Wiltgen
330 Blue Star Highway - South Haven, MI

No.	Revised/ Issue	Date

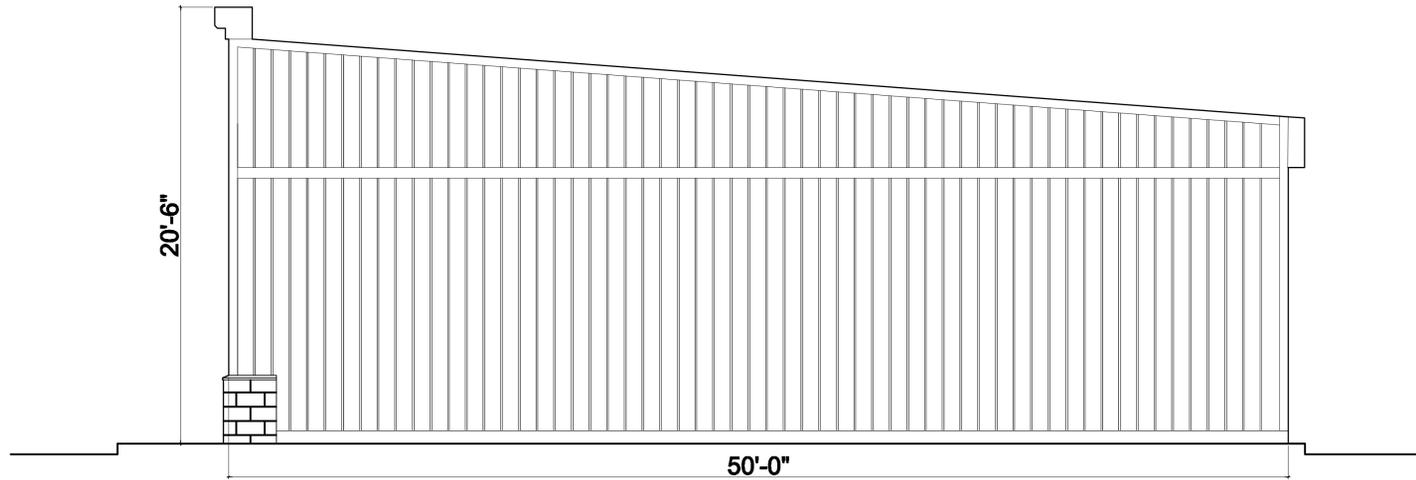


Front & Back Elevations

1

04.010.2015

1/4"=1'-0"



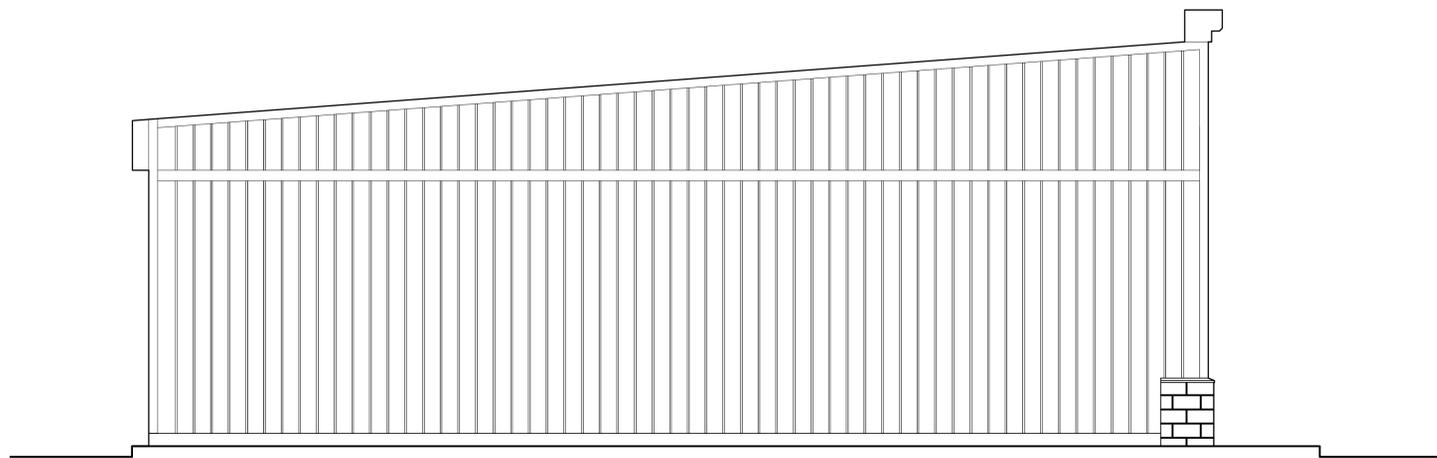
PRELIMINARY SIDE ELEVATION (NORTH)

1/4"=1'-0"

- One story structure
- 110' wide x 50' deep
- 20'-6" in height
- Percentage of glazing on facade is approx. 31%

(facade: 20.5' H x 110' W = 2,255 s. f.
 glazing: approx. 710 s. f.
 710/2255 = .314)

- Siding:
 - front: stone veneer base
 Dryvit stucco system or similar weather-resistant panels
 - sides & back: corrugated metal



PRELIMINARY SIDE ELEVATION (SOUTH)

1/4"=1'-0"

General Notes	
Joe Wiltgen 330 Blue Star Highway - South Haven, MI	
Side Elevations & Notes	
2	
Date: 04.010.2015	Scale: 1/4"=1'-0"

2011 ORTHO AERIAL MAPS

Showing Parcel Lines and Labels



2011 Digital Orthophotographs

The original photographs displayed here were taken in the spring of 2011. The 'best resolution' of these images is 0.5 feet per pixel.

Digital ortho photography consists of images processed by computer to remove the distortions caused by tilt of the aircraft and topographic relief in the landscape. These images are properly scaled and located in the state plane coordinate system (NAD83) thus giving them similar characteristics of a map.

- 70 US Feet
- 2011 Digital Orthophotograph
- Municipal Name
- Municipal Border
- Railroads
- Public Roads
- Property Lines
- Subdivision Lines
- Condominiums Lines

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**AGENDA ITEM #6
JOE WILTGEN (JWILCO) SPECIAL USE APPLICATION
GENERAL INFORMATION**

Case Number.....2015-0002

Date of Plan Commission.....5-7-2015

ApplicantJoe Wiltgen (JWILCO)

RequestA special use permit to construct a planned shopping center (i.e., more than 2 units)

Location330 Blue Star Highway.

Parcel Number.....80-53-552-016-01

Size.....5 acres (20,137 square feet +/-)

Street Frontage135 feet

Current Zoning.....B-2 General Commercial

Proposed Zoning.....No change

Contiguous Zoning.....North: B-2 General Commercial
South: B-2 General Commercial
East: B-4 Highway Commercial (other side of Blue Star Hwy)
West: R1-B Residential

Current Land Use.....Commercial car wash

Contiguous Land Uses.....North: Countryside Motors
South: Laundomat
East: Future site of O'Reilly Auto Parts
West: Single family residential

Comp Plan DesignationCommercial

CHARACTER OF THE AREA

The subject property is in an area of commercial uses except to the west which is a single family home neighborhood. The character of the area is consistent with the current zoning and future land use classification.

DEVELOPMENT PROPOSAL

Joe Wiltgen is requesting a special use permit and site plan approval to construct a planned shopping center on his property at 330 Blue Star Highway. This permit is required because the proposed commercial center will have three (3) units. The applicant intends to demolish

the building currently on the site and rebuild. This special use hearing is authorized in zoning section 802-1. The parcel number for the project is 80-53-552-016-01.

PUBLIC RESPONSE

NA

EVALUATION

The following relevant provisions of the Zoning Ordinance are followed by a statement representing the status of the subject property as it relates to that provision.

ARTICLE XV (SECTION 1502, BASIS OF DETERMINATION):

1. **General standards** - the Planning Commission shall review the particular circumstances of the special use permit application under consideration in terms of the following standards and shall approve a special use permit application only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this ordinance:

- A. The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

There is no reason to expect that the new commercial building will not be maintained and designed in a manner compatible with the surrounding neighborhood provided that adequate landscaping/screening is in place to protect the adjacent residential properties.

- B. The special land use shall not change the essential character of the surrounding area.

The proposed use will have little or no impact on the neighborhood as the subject property has for many years housed a commercial use. There is no expectation that the proposed use will change the area character other than improving the appearance through landscaping and allowable signage.

- C. The special land use shall not be hazardous to the adjacent property, property values, or involve uses, activities, processes, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff, odors, light, glare or other nuisance.

No hazardous impacts are anticipated as the proposed use will be office/retail in nature. Any exterior lighting will need to be dark sky compliant.

- D. The special land use shall not place demands on public services and facilities in excess of current capacity unless planned improvements have already been scheduled for completion.

No additional demands on public services are expected.

- E. The special land use is consistent with the intent of the comprehensive plan.

The 2011 Master Plan includes the following in the Policy Statement section: " The City and South Haven Township should support redevelopment of properties fronting on Blue Star Highway, M-43 and Phoenix Street as retail, service and other commercial uses. Buffers between commercial/industrial uses and the existing single family residences should be encouraged as expansion and redevelopment occurs".

This proposed use is compatible with the master plan.

- F. The special land use shall meet the site plan review requirements of Article IV.

The site plan review is included in the agenda packet. At this time, the plan application is incomplete.

- G. The special land use shall conform to all applicable state and federal requirements for that use.

The project shall meet all applicable laws and regulations prior to final permitting.

- H. The special land use shall conform with all standards in this ordinance and other applicable city ordinances, including but not limited to parking (see Article XVIII), signs (see Article XX), and standards particular to the special land use found in the district provisions, schedule of regulations, or elsewhere.

This application will require front and rear variances to build as requested. The applicant will be on the April 27 ZBA agenda to ask for the required variances.

SECTION 1510.27. PLANNED SHOPPING DEVELOPMENT

1. **Locational Requirements** - Planned shopping developments are permitted in the B-2 and B-4 Major Thoroughfare Business District. Ingress and egress shall be only from a major thoroughfare.

The property will be accessed from Blue Star Highway.

2. **Site Requirements** - Shall be at least 20,000 square feet in size.

Property is 20,137 square feet in size.

3. **Buffering Requirements** - A landscaped area conforming to the requirements of Section 1709 shall be provided and maintained between the parking lot and the property line, with a width of ten (10) feet on the front and rear property lines, and five (5) feet on the side property lines. If the lot is a corner lot, a landscaped area of ten (10) feet shall be provided and maintained along any property line which fronts a public street.

This property is within the Corridor Overlay Zone and will need to comply with all requirements of that section, including landscaping.

4. **Performance Standards**
 - a. Due to the nature of Planning Shopping Developments, traffic flows may be increased. The Planned Shopping Development must provide adequate safety

measures in traffic flow design through limited ingress and egress points to the property and parking areas. Said traffic flow increase must not present a dangerous impediment to existing thoroughfares or streets.

- b. The maximum widths of all driveways at the public sidewalk crossing or road shall be no more than thirty-six (36) feet. All Planned Shopping Developments must provide an unobstructed drive of a minimum of twenty-four (24) feet in width. Said drive must be located not further than 35 feet from the wall line, running the entire perimeter of said buildings. Said drive must be posted with markings on the pavement or signs that state "No Parking - Fire Lane."
- c. Minimum angle or driveway intersection with the roadway from the curb line to the lot line shall be no less than sixty (60) degrees.
- d. The minimum distance between roadway curb cuts or driveways shall be no less than forty (40) feet on any property or adjacent properties owned in common by an individual.
- e. The minimum setback from any road or street right-of-way to a building within a Planned Shopping Development shall be thirty-five (35) feet.

Items A through E will be reviewed by the city engineer and the County Road Commission.

- f. If a Planned Shopping Development is adjacent to another major traffic use (i.e., Department Store, Grocery Store, another Planned Shopping Development), every attempt must be made to create an access from the Planned Shopping Development to the other major traffic use without using public right-of-way (i.e., an internal drive between the two uses).

N/A

- g. All uses within the Planned Shopping Development must be uses that would be allowed in the B-2 district. Any change of use within the Planned Shopping Development must apply for a certificate of zoning compliance from the Zoning Administrator before business commences.

It is planned that the businesses in the center will be office or retail. Any change in this plan will need to be approved by the zoning administrator or the planning commission, depending on the proposed use.

RECOMMENDATION

The applicant will either have received or been denied the required front and rear variances by the time of the planning commission meeting. The planning commission needs to review the case summary, visit the site and determine if this application for a special use permit meets the intent of the city and, if it does, include any conditions they feel necessary. One condition should be the final approval by the city engineer.

Planning Commission

Staff Report



**Agenda Item #6b
Factory Condominium Amendment**

City of South Haven

Background Information:

This is a request from the Factory Condominium Association, 125 Elkenburg Street, and the City of South Haven to amend the approved planned unit development (PUD) to allow demolition of the former health club on the property.

Recommendation:

Staff asks that the planning commission members review the attached materials in order to understand the request. Staff has no problem with the amendment and recommends that the planning commission forward the request to city council with a recommendation for approval.

This request will need to receive final approval from the city council. Remember to make any motion in the form of a recommendation to council.

Attachments:

Application and narrative

Respectfully submitted,
Linda Anderson
Zoning Administrator

BUILDING & ZONING PERMIT APPLICATION
CITY OF SOUTH HAVEN
BUILDING DEPARTMENT
539 PHOENIX STREET, SOUTH HAVEN, MICHIGAN 49090
FOR INFORMATION CALL 269-277-8573

**Incomplete Forms Will NOT be
Approved or Processed**

Project Address: 125 ELKENBURG ST

Tax ID 80-53- (if property is part of a PUD or condominium development, confirmation of parcel number from the Assessing Department is required)

Applicant: FACTORY CONDOMINIUM ASSOCIATION Property Owner: CITY OF SOUTH HAVEN

Appl. Address: 125 ELKENBURG ST Owner Address: 539 PHOENIX ST
SOUTH HAVEN, MI 49090 SOUTH HAVEN, MI 49090

Applicant Phone: _____ Owner Phone: 269 637-0775

Current Use of Property: VACANT Zoning District of Property _____

Project Description: DEMOLISH FORMER HEALTH CLUB - PUD
AMENDMENT

Contractor: _____ Lic. No. _____

Liability Carrier: _____ Fed ID or SS: _____

Total Value of Construction (Materials and Labor, Building Permit Only): _____

Is property subject to an association? Yes No _____ (If yes, attach letter from association)

Is property currently served with city water and sanitary sewer connections? (Letter from city engineer req'd.)

I hereby authorize the Zoning Administrator, Building Inspector or other authorized representative of the City of South Haven to enter and inspect the above property for the purpose of inspection of the premises.
AFFADAVIT: I certify and affirm that I am the property or building owner or owner's authorized agent and that I agree to conform to all applicable laws of this jurisdiction. I also certify that this application is accurate and complete. Section 23A of the State Construction Code Act of 1972, Act No. 230 of the Public Acts of 1972, being Section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of the state relating to persons who are to perform work on a residential structure. Violators of Section 23a are subject to civil fines.

OWNER'S SIGNATURE: _____ DATE: _____

APPLICANT'S SIGNATURE: _____ DATE: _____

PLANNED UNIT DEVELOPMENT ATTACHMENT
CITY OF SOUTH HAVEN
BUILDING DEPARTMENT
539 PHOENIX STREET, SOUTH HAVEN, MICHIGAN 49090
FOR INFORMATION CALL 269-637-0760

Project Address: 125 ELKENBURG ST Applicant: FACTORY CONDO ASSOCIATION

Project Description: DEMOLISH FORMER HEALTH CLUB

Zoning District: RM-1 Property Tax Code: _____

Proposed Use(s): GREENSPACE, YARD

Section Number which permits this use: _____

This request is for a:

- New Planned Unit Development
- Amendment of Existing Planned Unit Development

Sec. 1302: Number of Dwelling Units: _____ Number of Acres on Site: _____ Dwelling Units/Acre: _____

Total Open Space Provided (sq. ft.): _____ Open Space Provided per Unit (sq. ft.): _____

Sec. 1303.3: Is all land under the control of the applicant? YES

Does the Open Space meet all of the requirements of Section 1307? YES

Condominium Subdivisions:

Is the proposed project a Condominium Subdivision (site condominium)? YES NO

If yes, does it meet the standards in Section 1740? YES

Section 1305 lists General Standards for Planned Unit Developments. Please comment on how the proposal will meet these standards.

Applicant Signature _____ Date: _____

January 6, 2015

TO: Linda Anderson, Zoning Administrator

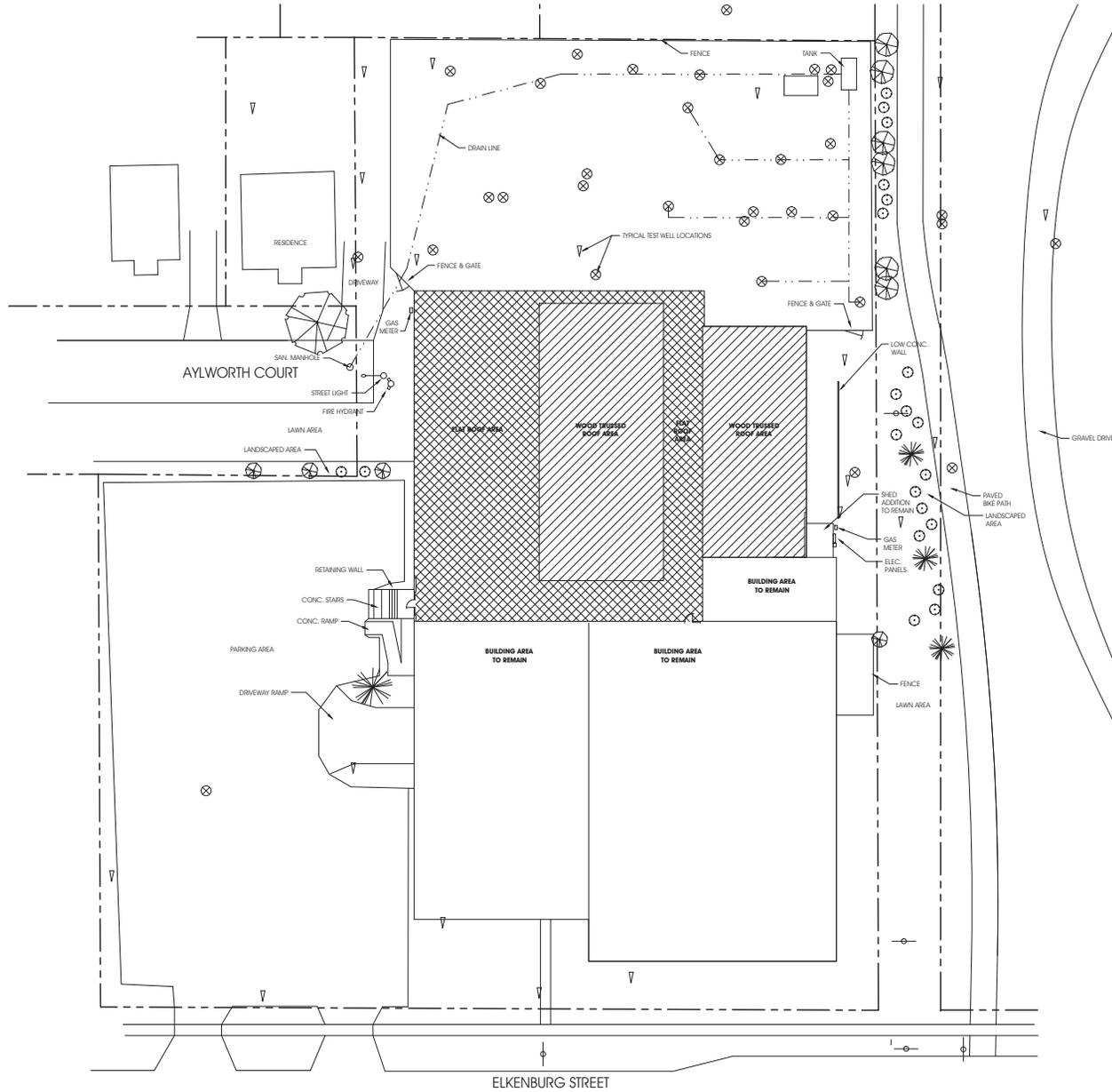
FR: Paul VandenBosch

RE: Factory Condominium PUD Amendment

The City of South Haven is working together with the Factory Condominium Association and the MDEQ to demolish the former Factory Condominium health club and perform a remediation of environmental contaminants under the health club and in the rear yard of the Factory Condominium site.

The proposal is to demolish the health club and turn it into a yard (open space) after remediation. A few parts of the old building will remain, as shown in the attached demolition plan documents.

The Factory Condominium Association, as owners of the underlying property, and the City of South Haven, as owner of the health club condominium unit are both requesting an amendment to the Planned Unit Development to reflect demolition of the health club building and creation of additional yard space.



DEMO SITE PLAN
 SCALE: 1" = 20'-0"

GENERAL NOTES

- A. ACCESS TO AREAS OF WORK SHALL BE COORDINATED W/ ENVIRONMENTAL CO. OVER-SEEING TEST WELL LOCATIONS AROUND PERIMETER OF BUILDING. CARE SHALL BE TAKEN TO ENSURE ENVIRONMENTAL EQUIPMENT IN POOL FEELER ROOM SHALL WILL CONTINUE TO OPERATE NORMALLY.
- B. FOUNDATIONS & FLOOR SLABS SHALL REMAIN IN ALL DEMO AREAS - CARE SHALL BE TAKEN TO PREVENT CRACKING OF EXISTING SLABS DURING DEMOLITION.
- C. CARE SHALL BE TAKEN TO AVOID DAMAGE TO BIKE PATH & LANDSCAPING AT EAST SIDE OF BUILDING.
- D. CARE SHALL BE TAKEN TO PREVENT DAMAGE TO BRICK/ STUD WALLS & STEEL STRUCTURE TO REMAIN.
- E. VERIFY ALL UTILITIES INCLUDING GAS, WATER & ELECTRIC HAVE BEEN DEACTIVATED IN AREAS OF DEMOLITION.



PROJECT: **OVERTON FACTORY CONDOS SOUTH HAVEN, MI**

DEMOLITION PLAN

SHEET TITLE: _____
 DRAWN BY: **GNF**
 DESIGNED BY: **JMS**
 PM REVIEW: _____
 CIV/CC REVIEW: _____
 DATE: **2014**
 SEAL: _____

SIGNATURE: _____
 DATE: _____

HARD COPY IS INTENDED TO BE 24" X 36" WHEN PLOTTED. SCALES INDICATED AND GRAPHIC QUALITY MAY VARY NOT BE ACCURATE FOR ANY OTHER SIZES.

SCALE: _____

as noted

ACT. JOB # **14-0521**

SHEET NO. **D-1**

NO.	REVISION DESCRIPTION	BY	DATE

Exhibit A

Legal Description of the Factory Condominium

LOTS 5, 6, 7 & 8, BLOCK 1 AND LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 AND 16, BLOCK 2 ALL OF AYLWORTH'S SUBDIVISION OF LOTS 14 AND 13 OF BLOCK 1, ELKENBURGH'S ADDITION TO THE VILLAGE (NOW CITY) OF SOUTH HAVEN, ACCORDING TO THE RECORDED PLAT THEREOF, AND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 10, TOWN 1 SOUTH, RANGE 17 WEST, ACCORDING TO THE GOVERNMENT SURVEY THEREOF. ALSO THAT PART OF VACATED AYLWORTH COURT LYING SOUTH OF LOTS 5, 6, 7 & 8, BLOCK 1 AND NORTH OF LOTS 9, 11, 13 & 15, BLOCK 2, ALL IN AYLWORTH'S SUBDIVISION.

Exhibit B
Improvements to Remain Post Demolition
Overton Factory Complex
South Haven, MI

1. Existing rooms (2) constructed of load-bearing brick walls at southeast corner of demolition area to remain.
2. Existing pool pump room (north of rooms above) to remain, including masonry wall at west side of room.
3. Existing foundations and slabs to remain. Slabs will enhance environmental extraction work to follow. Demolition contractor will work off of these slabs and avoid traveling on north lawn.
4. Existing pool to remain; will be filled in and capped with a 4" concrete slab. This is a requirement for the environmental extraction to follow.
5. Existing fencing at north yard to remain – additional fencing will be required after demolition of walls – to secure rear yard.
6. Existing landscaping east of building/west of bicycle path, to remain. Demolition equipment access will be from west parking lot.
7. Existing parking lot and north landscaping to remain. If damaged by demolition contractor, restoration will be required. Demolition equipment access will be from west parking lot.



BELGRAVIA - FACTORY CONDOS, 1999

Contaminant Sources

- **Degreasing, plating and painting 1960s – 1970s**
- **Discharge to septic tank and associated drain field**
- **Floor drains and interior piping leaks**
- **Miscellaneous spills**

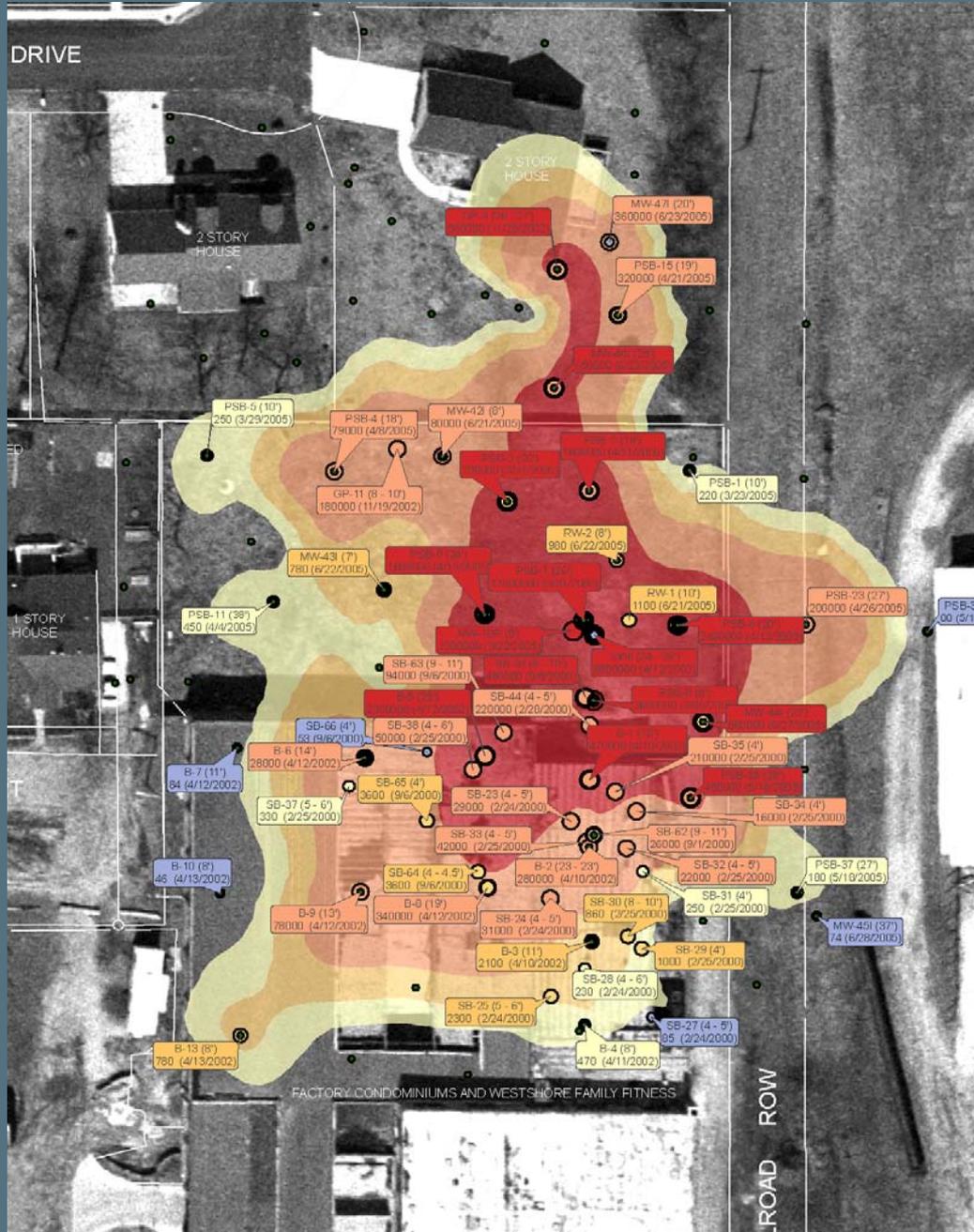
Primary Chemicals of Concern

- **Trichloroethylene, aka – TCE**
 - **Suspected Carcinogen**
 - **Product Density Greater Than Water**
 - **TCE = 1.46, Water = 1.0**
 - **MDEQ Drinking Water Criteria – 5 ug/L**
 - **MDEQ Drinking Water Protection Criteria – 100 ug/kg**
- **Cis–1,2-Dichloroethylene, aka - DCE**
 - **Breakdown Product of TCE**
- **Vinyl Chloride**
 - **Breakdown Product of TCE and DCE**
 - **Carcinogen**

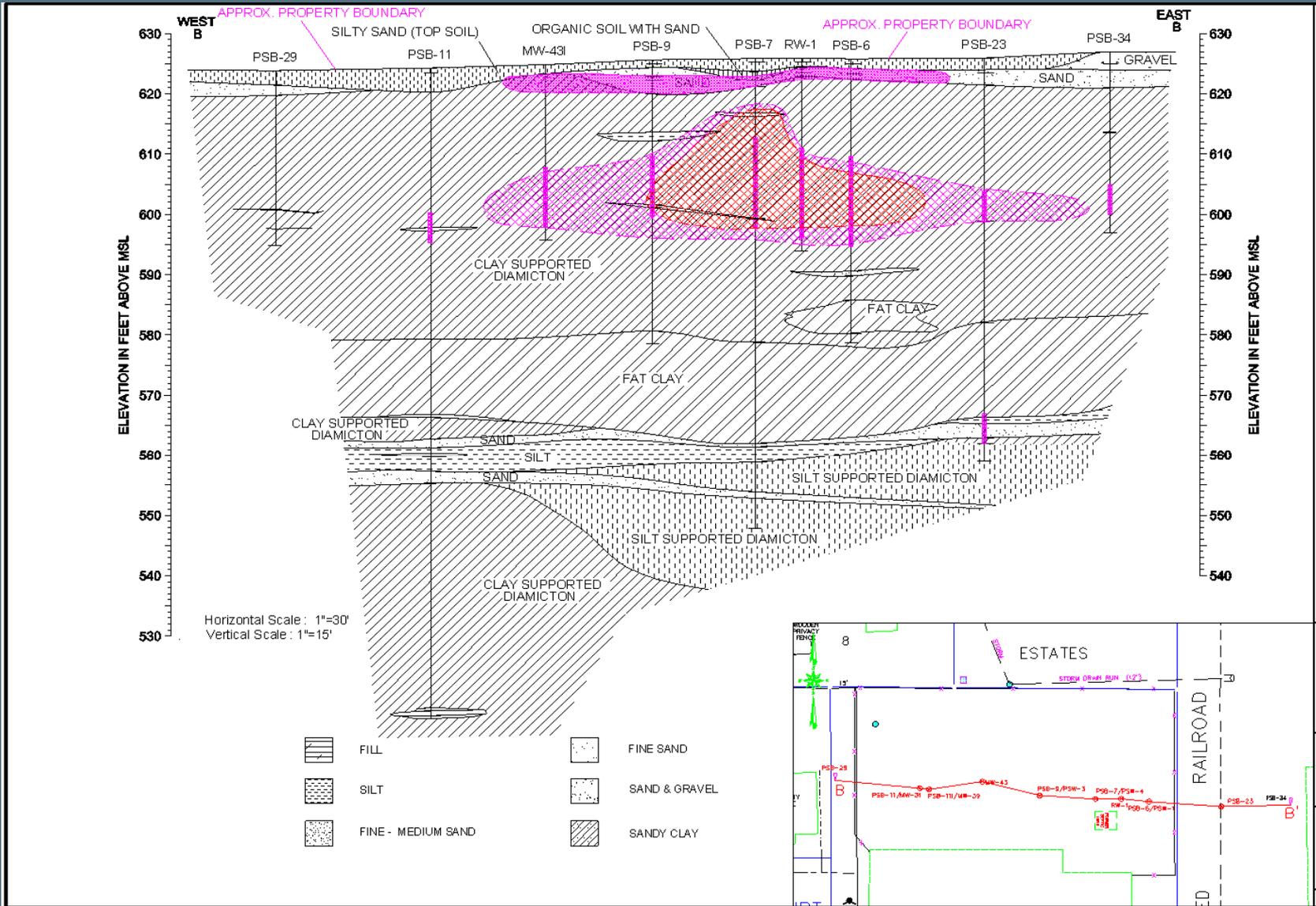
Extent of Contaminants in Soil, Groundwater, and TCE Product

- **Extent of Soil Contamination**
 - **Soil samples were collected continuously from the ground surface to depths of 30 – 100 feet**
 - **Soil was found to be impacted with both volatile organic compounds and metals above the MDEQ residential cleanup criteria, however volatiles pose the greatest risk for human exposure**
 - **Soil in the area of the former septic tank exhibited free product**

TCE Impact in Saturated Soils



Cross Sectional View of Contamination



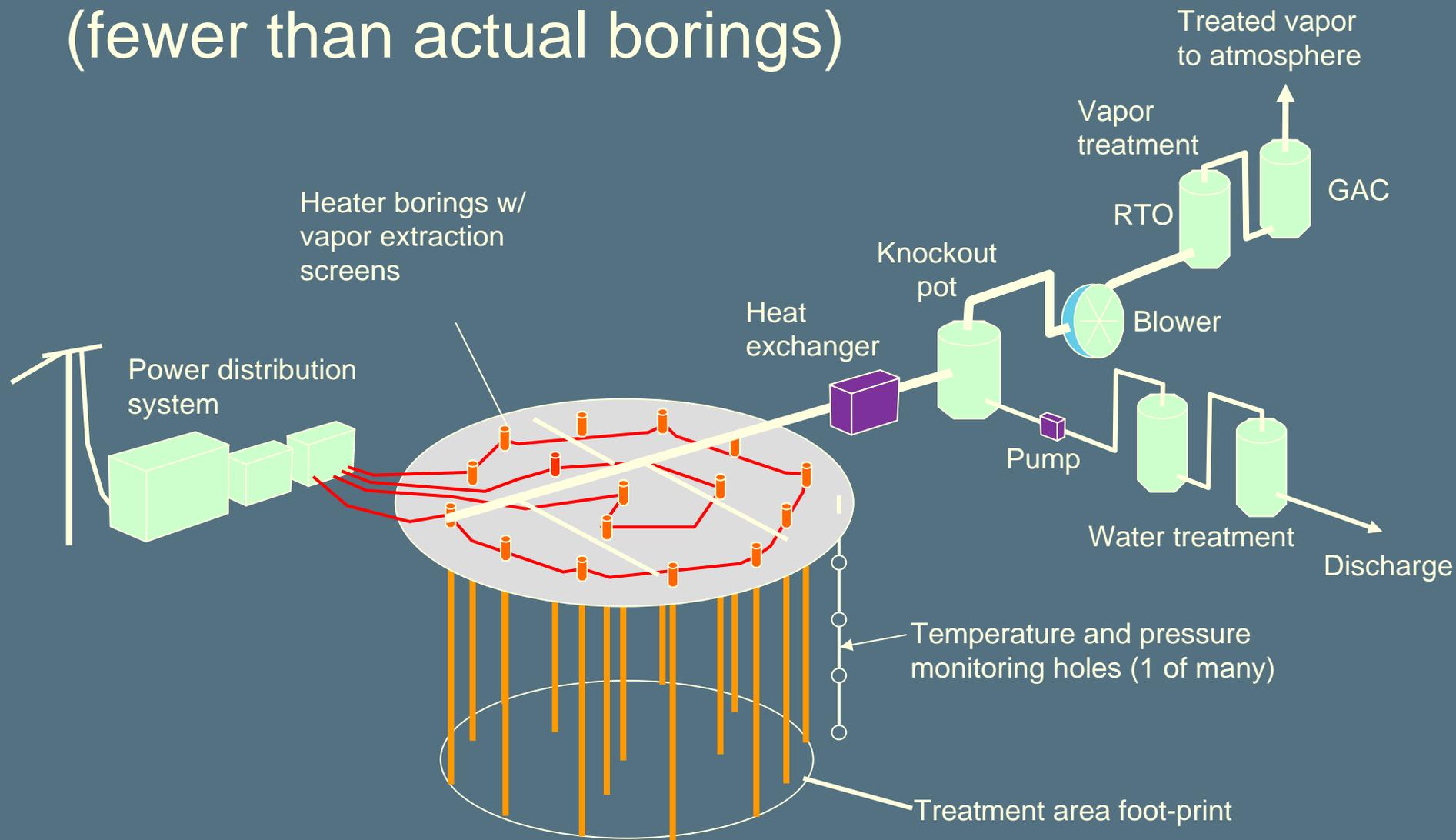
Electrical Resistance Heating (ERH) (TRS)



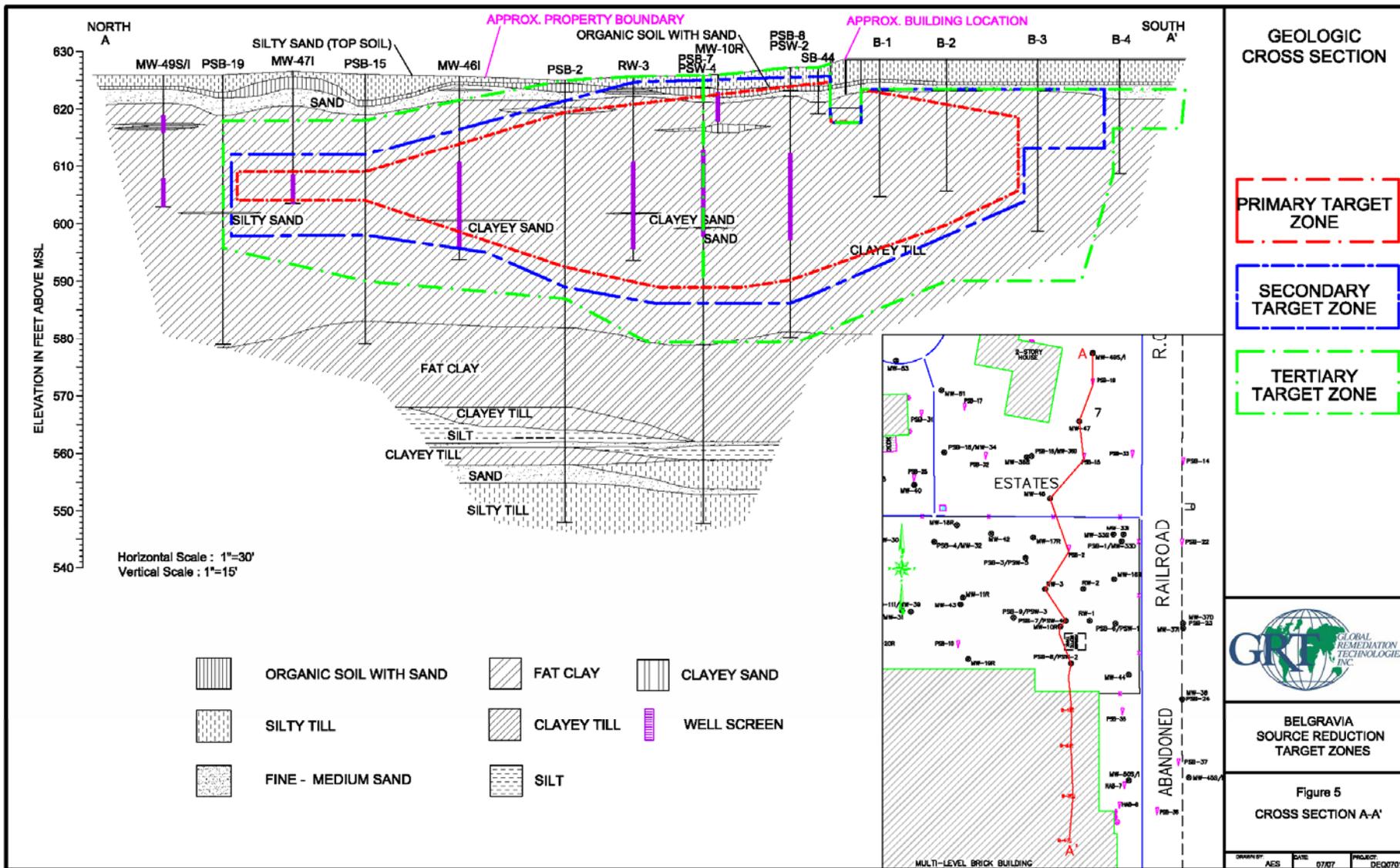
Electrical Resistance Heating (ERH) (TRS)



Simplified ISTD site layout (fewer than actual borings)



Cross Sectional View of Proposed Treatment Areas



March 20, 2015

TO: Factory Condominium Demo File

FR: Paul VandenBosch

RE: Timeline of Approvals and Authorizations

Factory Condo Association

April 10 Memorandum of Understanding - approve and execute

April 10 Reimbursement Agreement - approve and execute

April 10 Act 381 Work Plan - authorize submittal to DEQ

April 10 Brownfield Plan Amendment - approve application

April 10 PUD Amendment Application - authorize and sign application

Step II, after demolition

Master Deed Amendment - prepare, approve, record

City Council

April 20 Memorandum of Understanding - approve and execute

April 20 Reimbursement Agreement - approve and execute

April 20 Act 381 Work Plan - authorize submittal to DEQ

April 20 Brownfield Plan Amendment - authorize as part owner

April 20 PUD Amendment Application - authorize application as part owner

May 4 Brownfield Plan Amendment - approve as municipality

May 18 PUD Amendment Approval - approve as municipality

May 18 Award demolition bid

Brownfield Redevelopment Authority

April 13 Memorandum of Understanding - approve and execute

April 13 Reimbursement Agreement - approve and execute

April 13 Act 381 Work Plan - recommend to DEQ

April 13 Brownfield Plan Amendment - approve as brownfield authority

LDFA

April 13 Memorandum of Understanding - execute

April 13 Reimbursement Agreement - execute

City Staff responsibilities

Provide demolition plans to Factory Condo Association

Publish bid documents

Notify Association of time and place of bid opening and bid award public meeting

Apply for PUD Plan Amendment when so authorized

Brownfield Plan process when so authorized
Send authorized Act 381 Work Plan to DEQ when so authorized
Record Reimbursement Agreement upon execution
Manage demolition contract
Convey title to B-1 by quit claim deed after remediation

Planning Commission

Staff Report



**Agenda Item #7a
JWILCO
Site Plan Review**

City of South Haven

Background Information: Joe Wiltgen, representing JWILCO, is requesting site plan approval to construct a planned shopping center on his property at 330 Blue Star Highway. This project involves the demolition of the existing building and the construction of a new 4-unit planned commercial center.

This plan was first submitted to the planning commission as part of the March agenda. Since then the applicant has amended the plan by increasing the side setbacks and moving the parking out of the public right-of-way.

Recommendation: Staff recommends approval of the site plan with the condition that the variances are granted and the city engineer has no remaining issues with the plan.

Support Material:

Application
Revised site plan
Exterior elevations

Respectfully submitted,
Linda Anderson
Zoning Administrator

BUILDING & ZONING PERMIT APPLICATION
CITY OF SOUTH HAVEN
BUILDING DEPARTMENT
539 PHOENIX STREET, SOUTH HAVEN, MICHIGAN 49090
FOR INFORMATION CALL 269-277-8573

**Incomplete Forms Will NOT be
Approved or Processed**

Project Address: 330 Blue Star Hwy South Haven MI 49090

Tax ID 80-53- (If property is part of a PUD or condominium development, confirmation of parcel number from the Assessing Department is required)

Applicant: Joe Wittgen Property Owner: Joe Wittgen

Appl. Address: 518 W. Michigan Ave Owner Address: same
South Haven MI 49090

Applicant Phone: 269-208-4687 Owner Phone: 269-208-4687

Current Use of Property: car wash Zoning District of Property: _____

Project Description: Plan - strip mall 4 unit

Contractor: Joe Wittgen Lic. No. _____

Liability Carrier: _____ Fed ID or SS: _____

Total Value of Construction (Materials and Labor, Building Permit Only): ~~200,000~~ 150,000

Is property subject to an association? Yes ___ No (If yes, attach letter from association)

Is property currently served with city water and sanitary sewer connections? (Letter from city engineer req'd.)

I hereby authorize the Zoning Administrator, Building Inspector or other authorized representative of the City of South Haven to enter and inspect the above property for the purpose of inspection of the premises.
AFFADAVIT: I certify and affirm that I am the property or building owner or owner's authorized agent and that I agree to conform to all applicable laws of this jurisdiction. I also certify that this application is accurate and complete. Section 23A of the State Construction Code Act of 1972, Act No. 230 of the Public Acts of 1972, being Section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of the state relating to persons who are to perform work on a residential structure. Violators of Section 23a are subject to civil fines.

OWNER'S SIGNATURE: Joe Wittgen DATE: 2-10-15

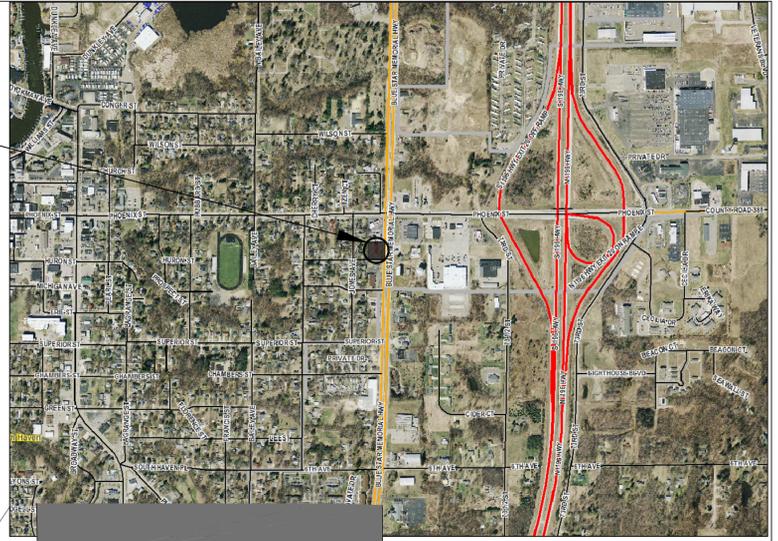
APPLICANT'S SIGNATURE: Joe Wittgen DATE: 2-10-15



- NOTES:**
- PROPERTY IS CURRENTLY ZONED B2 GENERAL BUSINESS PART OF THE M-431-196 BUSINESS LOOP CORRIDOR OVERLAY ZONING DISTRICT
 - BUILDING SETBACKS:**
 FRONT YARD OVERLAY- 25' (NEED VARIANCE TO PLACE PARKING IN OVERLAY AREA)
 REAR YARD - 25' (NEED 8' VARIANCE)
 SIDE YARD - 20'
 - FIRE PROTECTION TO BE APPROVED BY FIRE MARSHAL
 - UTILITIES**
 A. SEWER AND WATER- MUNICIPAL SEWER & WATER
 B. ELECTRIC- CITY OF SOUTH HAVEN
 C. DRAINAGE TO BE APPROVED BY CITY OF SOUTH HAVEN & VBCRC. DETENTION SYSTEM TO CONTAIN 25 YEAR STORM WITH 6 INCH RELEASE TO VBCRC DRAINAGE STRUCTURE.
 - ALL EXTERIOR LIGHTING TO MEET SECTION 1710 EXTERIOR LIGHTING OF THE CITY OF SOUTH HAVEN ZONING REQUIREMENTS. ALL SITE LIGHTING SHALL BE SHIELDED DOWNWARD FROM ADJACENT PROPERTIES AND ROAD RIGHT OF WAY'S LIGHTING TO BE 400W HPS 277 VOLT, DOWN TYPE WITH 100% CUTOFF. LIGHTING TO BE MOUNTED ON A 20' STEEL POLE. LIGHTING MOUNTED ON BUILDING TO BE 100W HPS 277 VOLT.
 - PARKING**
 REQUIRED - 1 SPACE/200 SF OF USEABLE FLOOR AREA & 1 SPACE/EMPLOYEE @ 4355 SF OF USEABLE FLOOR AREA = 22 SPACES
 TOTAL REQUIRED = 22 SPACES
 PROVIDED - 23 SPACES
 - CONCRETE CURB & GUTTER TO BE PLACED AT ISLANDS AND ENTRANCES
 - ROOF DRAINS TO TIE INTO PROPOSED STORM SYSTEM. DOWNSPOUT LOCATIONS NOT YET DETERMINED.
 - ALL PROPOSED SPOT ELEVATIONS ARE AT FINISHED PAVEMENT OR CONCRETE GRADE UNLESS NOTED AS T.C. (TOP OF CURB)
 - ALL SANITARY SEWER AND WATER MAIN TO BE CONSTRUCTED PER CITY OF SOUTH HAVEN SPECIFICATIONS
 - SIGNAGE AND PAVEMENT MARKINGS SHALL CONFORM TO THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES

DESCRIPTION OF PROPERTY:
 LOTS 12, 14, AND 16 OF BLOCK 2 OF M. JONES ADDITION TO THE VILLAGE (NOW CITY) OF SOUTH HAVEN, SECTION 11, TOWN 1 SOUTH, RANGE 17 WEST, CITY OF SOUTH HAVEN, VAN BUREN COUNTY, MICHIGAN, RECORDED IN LIBER 1 OF PLATS ON PAGE 76
 TAX ID# - 80-53-532-016-01

SITE LOCATION



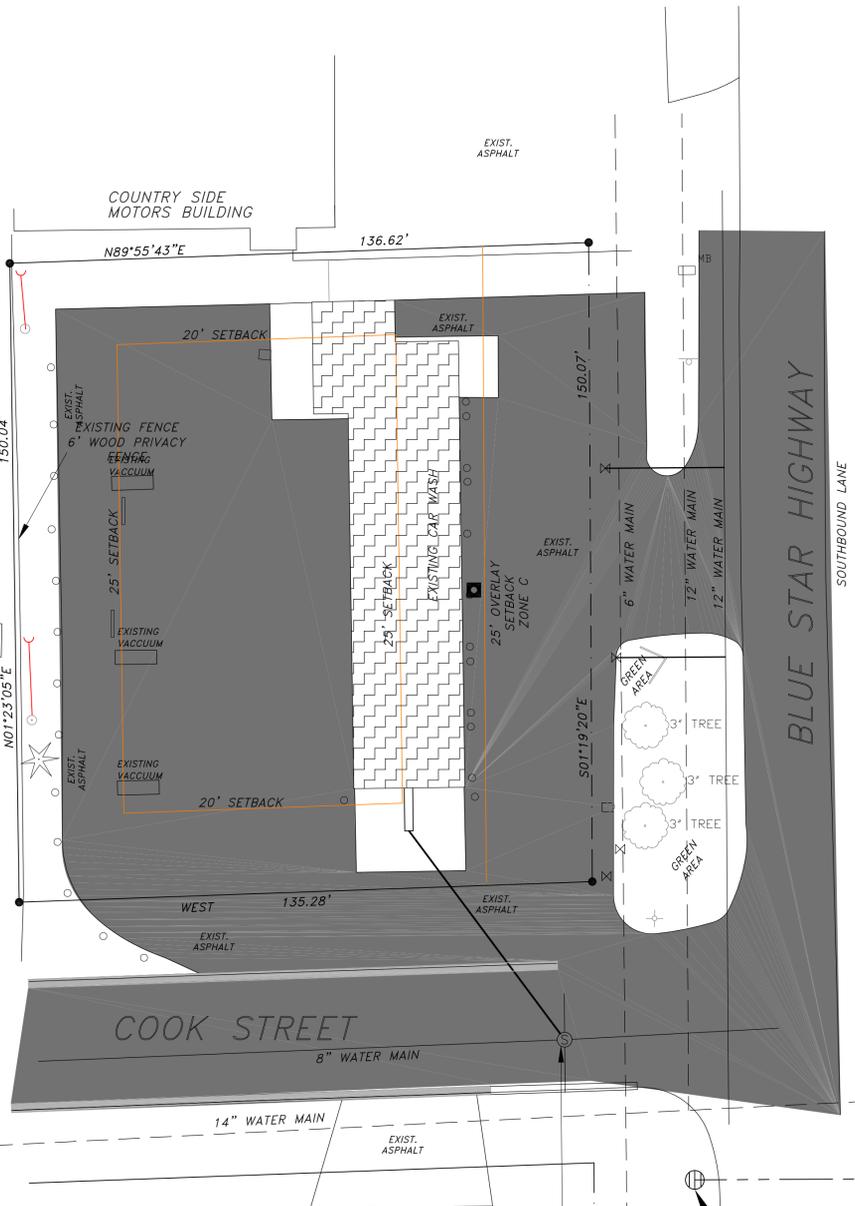
SITE LOCATION MAP

STORM WATER DESIGN:
 PROPOSED BUILDING ROOF WATER AND PARKING AREA TO BE STORED IN 4 DIA. LEACHING BASINS. BASINS TO RELEASE TO VBCRC STORM SYSTEM ALONG BLUE STAR HIGHWAY.
 TOTAL IMPERVIOUS AREA = 0.31 ACRES
 C FACTOR = 0.93
 Q OUT = 0.28 CFS (4" OUTLET)
 STORAGE REQUIRED = 1055 CFT
 STORAGE PROVIDED IN PIPE = 387 CFT
 STORAGE PROVIDED = 125.5 CFT LEACHING BASIN
 6 BASINS & PIPE PROVIDED STORAGE = 1120 CFT TOTAL
 SOILS ARE A STIFF CLAY.

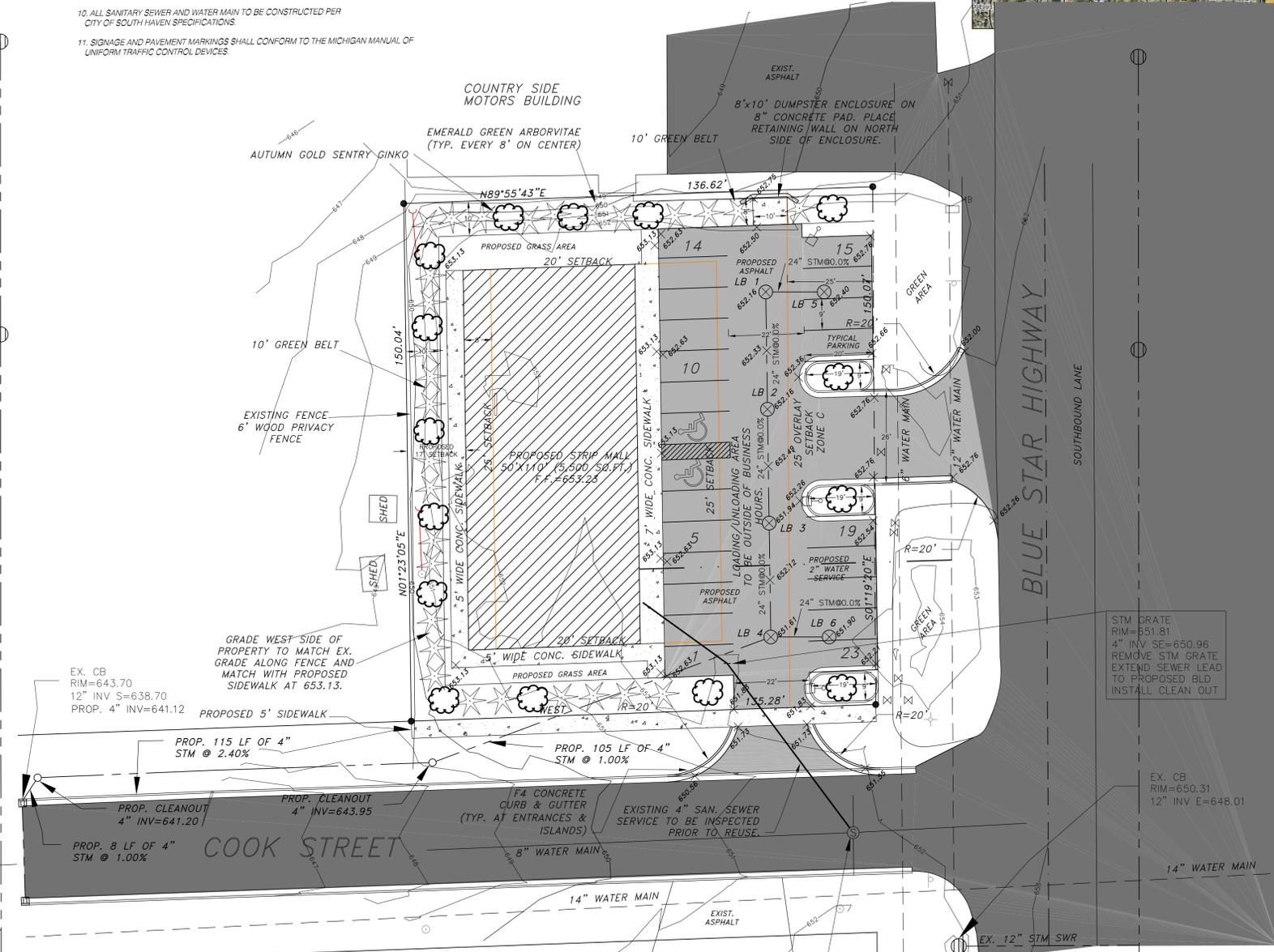
- LEACHING BASIN 1
 RIM=652.16
 24" INV S&E=646.50
 BOTTOM=645.16
- LEACHING BASIN 2
 RIM=652.16
 24" INV N&S=646.50
 BOTTOM=645.16
- LEACHING BASIN 3
 RIM=651.94
 24" INV N&S=646.50
 BOTTOM=644.94
- LEACHING BASIN 4
 RIM=651.61
 24" INV N&E=646.50
 4" INV SW=645.00
 BOTTOM=644.61
- LEACHING BASIN 5
 RIM=652.40
 24" INV W=646.50
 BOTTOM=645.40
- LEACHING BASIN 6
 RIM=651.90
 24" INV W=646.50
 BOTTOM=644.90

LEGEND

- SETBACK
- PROPERTY LINE
- FENCE
- EXISTING WATER LINE
- WATER METER PIT
- POWER POLE W LIGHT
- STREET SIGN
- PROPOSED JAPANESE MAPLE
- PROPOSED EVERGREEN
- PROPOSED SANITARY LEAD
- PROPOSED WATER LEAD
- PROPERTY CORNER
- EX. SANITARY MANHOLE
- EXISTING WATER VALVE
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING ASPHALT SURFACE
- PROPOSED ASPHALT SURFACE
- PROPOSED POLE MOUNTED LIGHT



EXISTING SITE



PROPOSED SITE

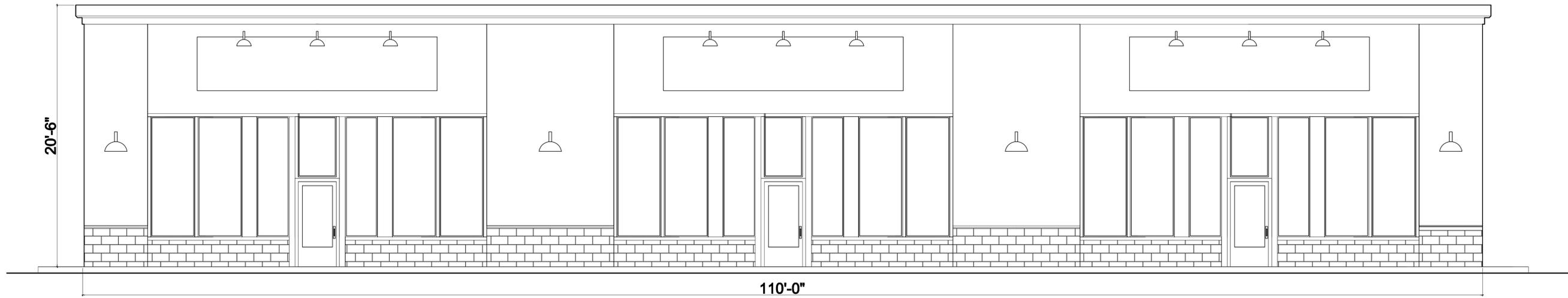
SAN. MH
 RIM=651.81
 4" INV NW=645.76
 8" INV N=641.20
 8" INV E=641.59
 8" INV W=641.18
 8" INV S=641.22

EX. CB
 RIM=650.31
 12" INV E=648.01

SAN. MH
 RIM=651.81
 4" INV NW=645.76
 8" INV N=641.20
 8" INV E=641.59
 8" INV W=641.18
 8" INV S=641.22

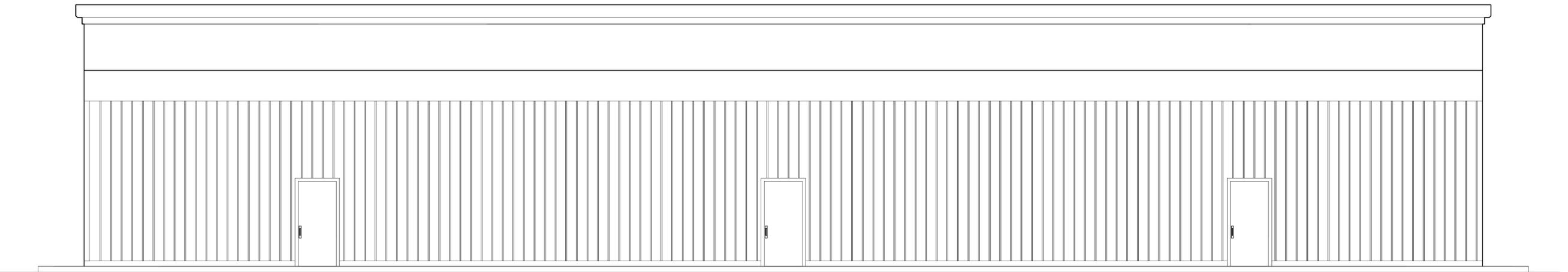
MCE
 MIDWEST CIVIL ENGINEERS, INC.
 CIVIL ENGINEERING + LAND SURVEYING + ARCHITECTURE
 13560 76TH STREET
 SOUTH HAVEN, MI 49090
 PH: 269-637-9205
 FX: 269-637-9206
 SCALE: 1" = 20'
 DRAWN: 02/2015

JOE WILTGEN	
BLUE STAR STRIP MALL SITE PLAN	
SHEET 1 OF 2	PROJECT NO. 15-016
REVISIONS: 04/06/15 CHANGES PER CITY OF SOUTH HAVEN STAFF 04/08/15 CHANGED DRAINAGE OUTLET TO CITY SYSTEM	



PRELIMINARY FRONT ELEVATION (EAST)

1/4"=1'-0"



PRELIMINARY BACK ELEVATION (WEST)

1/4"=1'-0"

General Notes

Joe Wiltgen
330 Blue Star Highway - South Haven, MI

No.	Revised/ Issue	Date

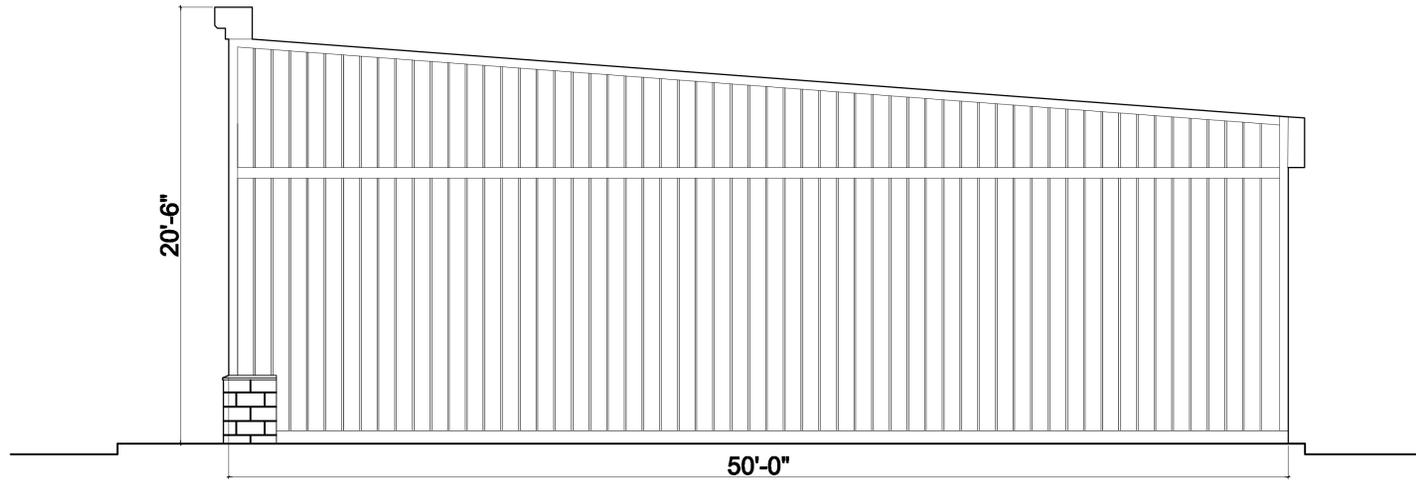


Front & Back Elevations

Sheet: 1

Date: 04.010.2015

Scale: 1/4"=1'-0"



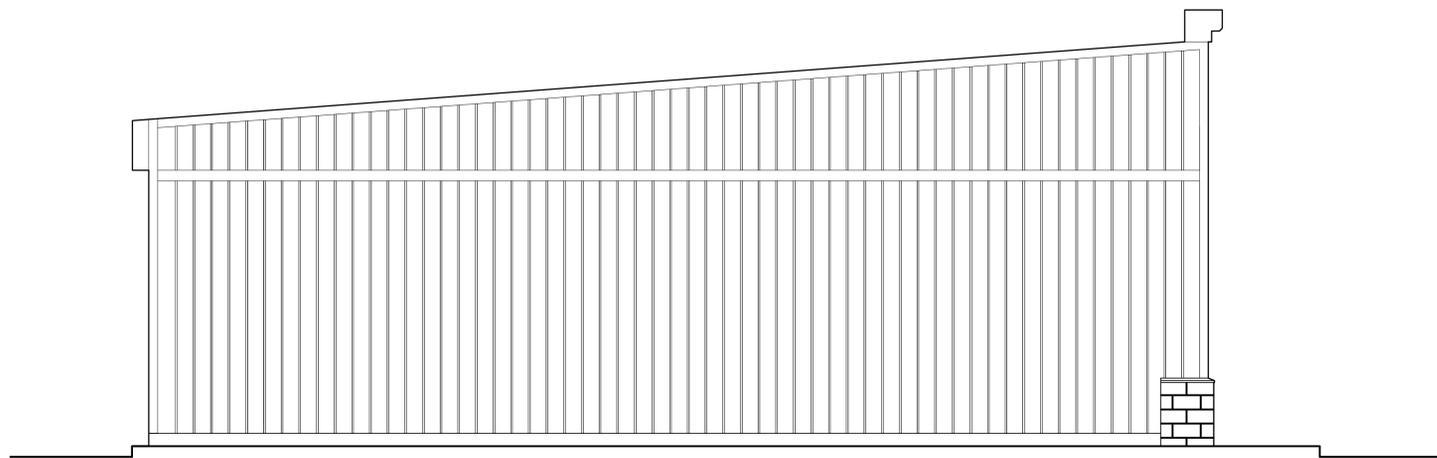
PRELIMINARY SIDE ELEVATION (NORTH)

1/4"=1'-0"

- One story structure
- 110' wide x 50' deep
- 20'-6" in height
- Percentage of glazing on facade is approx. 31%

(facade: 20.5' H x 110' W = 2,255 s. f.
 glazing: approx. 710 s. f.
 710/2255 = .314)

- Siding:
 - front: stone veneer base
 Dryvit stucco system or similar weather-resistant panels
 - sides & back: corrugated metal



PRELIMINARY SIDE ELEVATION (SOUTH)

1/4"=1'-0"

General Notes	
Joe Wiltgen 330 Blue Star Highway - South Haven, MI	
	Date
	Revised/ Issue
	No.
Side Elevations & Notes	
2	
Date	1/4"=1'-0"
No.	04.010.2015

Planning Commission

Staff Report

**Agenda Item #7b
Proposed Amendments
R1-C Single Family Zoning Regulations**

City of South Haven

Background:

Every year the city council sets goals for the next fiscal year. One of the goals adopted for 2015-2016 included working with staff and the Planning Commission to review the Code of Ordinances and Zoning Ordinance to determine whether updates are needed for the Monroe Park neighborhood, adjacent to the North Beach. The zoning subcommittee of the planning commission began looking at this zone and the problems associated with it during February and March, 2015. The minutes of the meetings are included in this agenda packet. Of special interest are the minutes of the March 25th meeting where Tony Marsala, City Fire Marshal, attended and gave the committee insights into the problems such a congested area presents to fire fighters and EMS professionals. In addition to the difficulties encountered by the close proximity of houses, the water system serving the area is not sized to provide fire protection for the number and size of homes in the neighborhood today.

This Monroe Park area included is the R1-C zoning district. This is the only area of the city where the R1-C zoning occurs. This is a district with very small minimum lot size and setback requirements of only three (3) feet. Obviously the area is very congested and complaints of encroachment and water runoff onto neighboring properties are common every summer.

Recommendation:

Please review the attached minutes and draft ordinance amendments. This matter will be discussed at the May meeting and any comments or recommendations made by the full planning commission will be incorporated into the draft text. When the planning commission is satisfied with the text, a public hearing will be held. If the planning commission decides no changes are warranted to the existing text, a report stating such will be made to the city council.

Attachments:

Subcommittee minutes
Draft R1-C ordinance amendments

PC R1-C Zoning Subcommittee

Meeting Minutes

Wednesday, February 25
11:00 a.m. Council Chambers



City of South Haven

Present: PC members Heinig, Peterson, Stimson and Paull. Also present was the zoning administrator.

General discussion was held regarding issues with the R1-C zoning district. Discussion included buildings being too close together for emergency vehicles, setbacks too small, too little permeable area between structures and issues with runoff.

It was agreed by all members that changes should be proposed to the zone. Heinig agreed to put some numbers together regarding various setback distances and resultant minimum lot sizes. Petersen will gather information on types of pervious surfaces for driveways and walkways as an alternative to paving. Paull and Anderson will search for ordinance examples for recommended setbacks and parking requirements for small lots.

Anderson will arrange for the fire marshal and building inspector to attend a future meeting to discuss safety issues and construction codes.

Next meeting Wednesday, March 4, 2015.

Adjourned at 11:45 a.m.

PC R1-C Zoning Subcommittee

Meeting Minutes

Wednesday, March 4, 2015
11:00 a.m. Council Chambers



City of South Haven

Present: PC members Heinig, Peterson, Stimson and Paull. Also present was the zoning administrator.

Heinig presented his calculations for increased setback requirements and expanded minimum lot sizes. He explained that his numbers would keep the building envelop near the same but the larger setbacks would increase lot sizes. Specifically, he found the following:

Existing Setback Minimum	Existing Minimum Lot Size
3 feet all sides	2178 sq. ft.
Proposed Setback Minimum	Resulting Minimum Lot Size
4 feet all sides	2369 sq. ft.
6 feet all sides	2774 sq. ft.
8 feet all sides	3211 sq. ft.

Heinig stated that in discussions with Ron Wise (SHAES) he learned that the 6 to 8 foot setback is far preferable. He also researched soils in the area and found them to be very absorbent which is good. Heinig also suggested that the ordinance set maximum lot coverage of no more than 50%.

Petersen agreed to create some graphics illustrating the change in lot size, setback maximum lot coverage on average lots in the R1-C zone.

Anderson said that she will start drafting preliminary language for the next meeting. The following issues have been agreed upon at this point:

- It will be difficult to increase parking requirements without some sort of rental inspection program in place. It was found that, in some communities, the parking for rental properties is based on the maximum residential occupancy as determined by the fire marshal.
- The soils could likely handle runoff if there is adequate setback and pervious areas on each lot.
- Driveways and walkways on private property will be either grass pavers or other pervious surface. Petersen will bring examples to the next meeting.

Next meeting Wednesday, March 18, 2015.

Adjourned at 11:45 a.m.

PC R1-C Zoning Subcommittee

Meeting Minutes

Wednesday, March 25
11:00 a.m. Council Chambers



City of South Haven

Present: PC members Heinig, Peterson and Stimson. Also present was the zoning administrator and Tony Marsala, Fire Marshal.

The members explained to the fire marshal the project and the issues as they see them. Mr. Marsala explained that the buildings are so close in the Monroe Park neighborhood (the R1-C zone) that hoses need to be dragged to fires instead of driving equipment into the area. This is especially a problem in the center areas where there are too few fire hydrants to adequately serve the density. He also stated that ladder trucks cannot maneuver in an area with three (3) feet of building separation. As equipment gets better, he said, it also gets bigger which makes the problem worse. He also told the members that when a fire occurs, the fighters need to look not just at the initial house but the surrounding houses as well. Considering the density in this area, this requires more water flow that is currently available.

There was then discussion among members about options for permeable surfacing. Peterson distributed information about the different types of surfaces which could be used for the proposed permeable surfaces requirement. He then offered to work up the options into a guidebook which could be referenced in the ordinance.

It was then discussed that the draft ordinance would go to the full planning commission for review and discussion in May with a public hearing scheduled for summer.

The subcommittee will meet again in two (2) weeks to continue work on the amendments to the other parts of the zoning ordinance. Information will be sent to members prior to the meeting.

Next meeting Wednesday, March 4, 2015.

Adjourned at 11:45 a.m.

ARTICLE IV

R1-A, R1-B AND R1-C SINGLE FAMILY RESIDENTIAL DISTRICTS

SECTION 404. R-1C AREA REQUIREMENTS

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following yards, lot area, lot coverage requirements and other conditions are provided and maintained in connection with such building, structure, or enlargement.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following yards, lot area, and building coverage requirements are provided and maintained in connection with such building, structure, or enlargement.

1. **Front Yard** - There shall be a front yard of no less than ~~three (3)~~ **eight (8)** feet.
2. **Side Yard** - There shall be side yards of no less than ~~three (3)~~ **eight (8)** in width.
3. **Rear Yard** - There shall be a rear yard of no less than ~~three (3)~~ **eight (8)** feet.
4. **Lot Area and Width** - The minimum lot area and width for all uses in this District, unless specified elsewhere, shall be ~~two thousand one hundred and seventy-eight (2178) square feet and thirty-three (33) feet respectively~~ **three thousand two hundred and eleven (3211) square feet and forty-three (43) feet respectively.**
5. **Lot Coverage** – The maximum lot coverage by pervious surfaces in this zone shall be **fifty percent (50%)**.
6. **Other Requirements** – Driveway, walkways or other such surfaces shall be constructed using grass pavers or other pervious surface.

ARTICLE IX

NONCONFORMING USES AND BUILDINGS

SECTION 1904. RESTORATION AND REPAIRS

Such repairs and maintenance work as are required to keep a nonconforming building or structure in a sound and modern condition may be made. A nonconforming building or structure which is damaged or destroyed by fire, wind, or other calamity may be restored and the occupancy or use, as it existed at the time of such destruction, may be continued or resumed.

1. Changes to the location of a foundation or footprint of a nonconforming single-family residence destroyed by fire, wind or other calamity pursuant to Section 1904 may be made if the Zoning Administrator determines that the dimensional nonconformity of the structure is reduced or unchanged by said changes. If the property owner holds title to contiguous lots, or the lot is large enough to reconstruct the changed building footprint in a location which complies with the dimensional standards of the zoning district, the structure shall be rebuilt as nearly as possible in compliance with all Ordinance requirements as determined by the Zoning Administrator.
2. Restoration shall be started within a period of one year of the time of such damage and diligently pursued to completion.

3. Where applicable, restoration of any use, building, or structure, damaged by flood within the floodplain or flood fringe areas, shall require the approval and permission of the Michigan Department of Environmental Quality and the Federal Flood Insurance Administration.
4. Nothing in this Article shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official, unless the building has been condemned, in which case it shall not be restored. Restoration to a safe condition shall include changes that bring the nonconforming use into conformity, or more nearly into conformity with this Ordinance.
5. ~~Notwithstanding the provisions of the foregoing, structures within the Monroe Park Subdivision (bounded by Avery Street on the north; North Shore Drive on the east; Lake Michigan on the west; and the Black River on the south) damaged or destroyed by fire, wind, or other calamity may be restored and the occupancy or use, as it existed at the time of such destruction, may be continued or resumed.~~