

# VILLAGE OF PENTWATER

327 South Hancock Street, P.O. Box 622, Pentwater, Michigan 49449  
(231) 869-8301 - FAX (231) 869-5120  
[www.PentwaterVillage.org](http://www.PentwaterVillage.org)

**Planning Commission Meeting**  
**June 22, 2021 - 6:00 P.M. – In Person**  
**310 N. Rush Street – Park Place, Pentwater, MI 49449**  
**Agenda**

1. **Opening** – Welcome, Call to Order, Pledge of Allegiance, and Roll Call.
2. **Approval of Agenda and Minutes.**
  - A. Approval of Agenda.
  - B. Approval of Minutes of May 25, 2021.
3. **Public Comments.**
4. **Public Hearing:**
  - A. Special Land Use Request for 205 S. Dover St. – Pentwater Yacht Club.
5. **Old Business:**
  - A. Special Land Use Request - 205 S. Dover St. – Pentwater Yacht Club.
6. **New Business:**
  - A. Preliminary Site Plan Review - 205 S. Dover St. – Pentwater Yacht Club.
  - B. Election of Officers.
7. **Department/Committee Reports**
  - A. Zoning Administrator – See attached report.
  - B. Zoning Board of Appeals – The ZBA met on May 18, for their annual meeting.
  - C. Master Plan Steering Committee – Chris Conroy.
8. **Communications from Planning Commission Members**
9. **Public Comments**
10. **Adjournment**

**Next Scheduled Planning Commission Meeting – July 27, 2021 at Park Place**



# VILLAGE OF PENTWATER

## Planning Commission

ON PENTWATER LAKE AND LAKE MICHIGAN  
65 N Hancock Street, P.O. Box 622, Pentwater, Michigan 49449  
(231) 869-8301 – FAX (231) 869-5120

### Regular Meeting Minutes – May 25, 2021

Chairperson Bruce Koorndyk called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:03 pm, in-person at Park Place, 310 N. Rush Street, Pentwater, with the Pledge of Allegiance.

#### ROLL CALL

**Present:** Bruce Koorndyk, Paul Anderson, Mary Temple, Chris Conroy, and Amy Roberson.

**Absent:** Michelle Angell-Powell and Ron Stoneman

**Staff Present:** Keith Edwards, Zoning Administrator.

#### APPROVAL OF AGENDA

**Motion** by Anderson, second by Conroy to approve the Agenda as presented.

Voice Vote: Aye: 5      Nay: 0      Absent: 2      Motion passed.

#### APPROVAL OF REGULAR MEETING MINUTES

**Motion** by Conroy, second by Roberson to approve the April 27, 2021 regular meeting minutes.

Voice Vote: Aye: 5      Nay: 0      Absent: 2      Motion passed.

**PUBLIC COMMENTS** – Russ Cross, Commodore for the Pentwater Yacht Club was happy to be present at the meeting.

**PUBLIC HEARING** - None

**OLD BUSINESS** – None

#### New Business:

- A. **Review of Proposed Special Land Use – Demolition and Reconstruction of the Pentwater Yacht Club Building at 205 S. Dover, Parcel ID No. 64-044-433-002-00. Introduction and Request to set a date for the Public Hearing.**

Planning Commissioners Paul Anderson and Chris Conroy identified that they are members of the Pentwater Yacht Club (PYC), and after discussion with the rest of the Planning Commission were found to have no conflict of interest with the proposed project.

Kyle Kuipers and Josh Strautz of Rockford Construction presented the proposed project and answered the questions of Planning Commissioners during their presentation.

Zoning Administrator, Keith Edwards, went over the highlights of his Staff Report presenting the proposed uses of the site as a private club, restaurant and marina, within the C3, Central Business Zoning District. His report included a review of the general standards of Special Land Uses from Chapter 15 of the Zoning Ordinance and the specific standard for marinas listed in paragraph K of Section 15.04 of the Zoning Ordinance.

Mr. Edwards suggested a date of June 22, 2021 for a public hearing as required by the Zoning Ordinance and the Michigan Zoning Enabling Act.

**Motion** by Temple, second by Roberson to set a date of June 22, 2021 at 6 pm for the required public hearing regarding the Special Land Uses for the PYC at 205 S. Dover Street in Pentwater.

Voice Vote: Aye: 5      Nay: 0      Absent: 2      Motion passed.

#### **COMMITTEE/DEPARTMENT REPORTS**

- A. **Zoning Administrator** – Mr. Edwards’ written report was accepted by the Planning Commission.
- B. **Zoning Board of Appeals** – No ZBA meeting was held in February 2021.
- C. **Master Plan Steering Committee** – Chris Conroy stated that she did not have a full report at this time but was converting the draft document to MS Word format for continued work.

**COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS** – None.

**PUBLIC COMMENTS** – Mr. Cross thanked the Planning Commission for their time.

#### **ADJOURNMENT**

**Motion** by Conroy, second by Anderson to adjourn the meeting at 7:23 pm.

Voice Vote: Aye: 5      Nay: 0      Absent: 2      Motion passed.

Respectfully Submitted,  
Keith Edwards, Zoning Administrator

June 2, 2021

Approved by the Village of Pentwater Planning Commission on \_\_\_\_\_.

**VILLAGE OF PENTWATER**  
**310 N. RUSH STREET,**  
**P.O. BOX 622, PENTWATER, MICHIGAN 49449**  
**COUNTY OF OCEANA, MICHIGAN**

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of the Village of Pentwater will hold a public hearing on June 22, 2021, at 6:00 p.m., at Park Place, 310 N. Rush Street, Pentwater, Michigan, to hear and consider a request for Special Land Use Approval. The Special Land Use Request is for the consideration of reconstruction of the Pentwater Yacht Club a private club and marina, a.k.a. 205 S. Dover Street, Pentwater, Michigan.

All interested persons may attend the public hearing and comment on the proposed Special Land Use Request. Written comments may be submitted to the Village offices, at the above-stated address, up to and including the day before the public hearing. Comments may also be sent via email to [zoning@pentwatervillage.org](mailto:zoning@pentwatervillage.org).

Dated: June 3, 2021

PLANNING COMMISSION OF THE  
VILLAGE OF PENTWATER

**PUBLIC NOTICE**  
**VILLAGE OF PENTWATER**  
**310 N. RUSH STREET,**  
**P.O. BOX 622, PENTWATER, MICHIGAN 49449**  
**COUNTY OF OCEANA, MICHIGAN**

**PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of the Village of Pentwater will hold a public hearing on June 22, 2021, at 6:00 p.m., at Park Place, 310 N. Rush Street, Pentwater, Michigan, to hear and consider a request for Special Land Use Approval. The Special Land Use Request is for the consideration of reconstruction of the Pentwater Yacht Club a private club and marina, a.k.a. 205 S. Dover Street, Pentwater, Michigan. All interested persons may attend the public hearing and comment on the proposed Special Land Use Request. Written comments may be submitted to the Village offices, at the above-stated address, up to and including the day before the public hearing. Comments may also be sent via email to [zoning@pentwatervillage.org](mailto:zoning@pentwatervillage.org).**

**Dated: June 3, 2021**

**PLANNING COMMISSION OF THE**  
**VILLAGE OF PENTWATER**

MHS 6/3/21 P. 6B

**Pentwater Yacht Club  
205 S. Dover  
Pentwater, Michigan 49449**

**Special Land Use Review  
May 20, 2021 – Revised June 15, 2021**

**By  
Keith Edwards, Zoning Administrator  
Village of Pentwater,  
Oceana County, Michigan**

## **Introduction**

The existing Pentwater Yacht Club, located at 205 S. Dover Street, at the west end of Second Street is proposing to reconstruct their existing building. The existing building operates as a private club that includes a restaurant (without drive-through service) and a bar, including related office, storage and a flex space, and a marina. Staff does not interpret the proposed take-out window between the bar and exterior deck to represent "drive-through" service.

The applicant, Rockford Construction, on behalf of the Pentwater Yacht Club, proposes to demolish the existing building and construct a new building to include indoor and outdoor seating, on both the main floor and an upper deck, and a new dock for transient boaters along the western side of the building adjacent to Pentwater Lake.

## **Background**

It appears likely that the existing building, was constructed prior to modern Zoning Regulations, as the former warehouse (according to local lore) was converted to the establishment of a private club. According to the Pentwater Township Property Record Card from the Assessor's office, the current building includes a 4,358 sq. ft. clubhouse with kitchen, 320 sq. ft. game room for a total of 4,678 sq. ft. of indoor floor area and includes a 680 sq. ft. outdoor wood deck over concrete, as well as a 300 sq. ft. covered concrete front porch. The Assessor's records do not provide any information regarding the removable docks used for the marina portion of the site's use, nor the existing detached accessory building (shed) located at the northeast corner of the property adjacent to Second and Dover Streets. The proposed building is 5,235 sq. ft. in area, excluding outdoor seating areas, which is, approximately 557 sq. ft. larger than the existing.

The property is located within the C-3, Central Business Zoning District, whereby restaurants, excluding those with drive-through facilities, are a Permitted Use while lodges and private clubs; and marinas are listed as Special Land Uses. Accessory buildings (i.e., sheds) are permitted uses as regulated by Section 3.08 of the Zoning Ordinance.

Special Land Uses require a public hearing to be conducted by the Village Planning Commission prior to their establishment or site plan approval of significant improvements. The proposed improvements to the property as well as all Special Land Uses also require Site Plan Review by the Village Planning Commission. Village Council approval is not required for Special Land Uses nor Site Plan Review Approval.

## Process

Since both Special Land Use approval and Site Plan Review Approval are required for this project, the Planning Commission must first set a date for a public hearing on the Special Land Uses prior to considering their approval and may conduct the Site Plan Review simultaneously or in succession.

## Special Land Uses

In accordance with Section 12.03 of Chapter 12 of the Village Zoning Ordinance, both Lodges and Private Clubs and Marinas are listed as Special Land Uses in the C-3, Central Business District. Furthermore, Site Plan review is required in accordance with Section 12.04.A and the provisions of Chapter 16 – Site Plan Review. This section will focus on the Zoning Ordinance provisions pertaining to Chapter 15 – Special Land Uses.

Special Land Uses are subject to the general standards listed in Section 15.03 – General Standards, as well as the specific standards of each use proposed, if any, in Section 15.04 – Specific Standards.

### Section 15.03 – General Standards

Paragraph B of Section 15.03 lists four general standards that all Special Land Uses must meet. I have provided those standards below and provided a staff response shown below the standard in italics. Each use of the site will:

1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed;

*The proposed reconstruction of the existing Pentwater Yacht Club building is harmonious and appropriate in appearance with the existing building and the adjacent residential uses to the north and south along the shore of Pentwater Lake.*

2. Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, (potable) water and sewage facilities;

*The proposed use of the property as a private club (including the restaurant and bar) and marina is consistent with the current use of the property today. The subject site will continue to be served by the existing public roads of Dover and Second Street,*

*and by public sanitary sewer and potable water. Solid waste and grease disposal is handled privately and not by public services. **A currently designed a fire suppression system is required for the proposed new building. The Engineer's initial review of the site plan is attached and requests some sanitary sewer information.***

3. Not create excessive additional requirements at public cost for public facilities and services; and,

*Staff does not expect the reconstruction of the Pentwater Yacht Club building to create excessive additional requirements at public cost for public facilities and services. At this time, the Department of Public Works, Fire Department and Police Department are reviewing the plans submitted. Additionally, the requirement for a fire suppression system for the building may require additional water volume or pressure from the public water system. Staff has requested the water demand requirements of the fire suppression system from the architect.*

4. Not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any persons or property in the vicinity, or the general welfare, by reason or excessive effects of traffic, noise, smoke, fumes, glare, or odors or other effects determined relevant by the Planning Commission.

*While the proposed activities on the property or use of the property are the same restaurant, bar and marina uses on the property today, the Planning Commission may wish to discuss any existing conditions that may cause excessive noise, or traffic. Additionally, I will ask the Police Chief to review the lack of a fence or railing on the proposed deck between the bar and transient slips with the Liquor Control Commission to determine whether or not some form of a barrier is required at this location. Additional concerns may be raised by the public at the public hearing.*

Paragraph C of Section 15.03 states that the Planning Commission may stipulate additional conditions or safe-guards necessary to accomplish the (above) purposes. For instance, the Planning Commission may consider:

- Adding a railing to the decking outside of bar area to prevent guests from accidentally taking a step off the dock and into Pentwater Lake;
- Relocation of the accessory building (shed), thus partially blocking the view of Pentwater Lake from the intersection of Second and Dover Streets (the existing industrial freezers are proposed to be removed);

- Relocation and screening from public view for the dumpster enclosure for the solid waste and grease dumpsters;
- Whether the parking area should be raised to an elevation above the floodplain elevation of 583 feet – raising the grade will likely impact private and Village owned property adjacent to the Pentwater Yacht Club property. (See Engineer’s Report).

Section 15.04 – Specific Standards

The only specific standards in Chapter 15 for the proposed use of the property are those contained within Paragraph “K” for Marinas. There are no Special Land Use Specific Standards for Private Clubs or Restaurants (without drive-through facilities) within the C-3 Zoning District.

Marinas are defined by Chapter 2 of the Zoning Ordinance, in Section 2.14 as:

*A facility extending into or over a body of water which offers service to the public or members of the marina for docking, loading, servicing, or other activities related to recreational or commercial watercraft. A private dock in compliance with the requirements of Section 3.31 of this Ordinance shall not be considered a marina.*

Paragraph K of Section 15.04 lists five specific standards that all Marinas requiring Special Land Use approval must meet. I have provided those standards below and provided a staff response shown below the standard in italics:

1. There shall be no above ground storage of gasoline, fuel oil, or other flammable liquids or gases.

*At this time, the applicant is not proposing any bulk storage of gasoline or fuel oil. Staff assumes that there may be some storage of gasoline for outdoor power equipment and use of some gases such as propane and those used for restaurant purposes. **The Planning Commission should review these items with the applicant.***

2. No building, structure, dock, or parking area which is part of (a) marina or boat launch area be located closer than five (5) feet to any lot line, except the setback shall be thirty-five (35) feet to any lot in the R-R and R-1 Districts.

***There is an existing fence, wood deck and accessory building (shed) within 5 feet or less of the north property line, that are proposed to remain. There is also an***

***existing dumpster enclosure located within the right-of-way of the intersection of Dover and Second Street that is proposed to be replaced within the same location. Additionally, the existing wood deck at the south end of the property encroaches upon the Village Green property from 4.2 to 14.5 feet.***

3. Parking facilities shall not be used for the overnight storage of boats, trailers, or other vehicles.

***This standard should be made as a condition of Special Land Use approval. The Planning Commission should also consider the outdoor storage of kayaks & paddleboards, etc. at the south end of the property and whether this area should be screened from view.***

4. There shall be no less than one (1) parking space provided for every boat slip.

*The Zoning Ordinance requirements of Chapter 17 were changed to require one parking space for every 2 slips. Thus, Staff is interpreting the Zoning Ordinance to require one parking space for every 2 slips. This correction was inadvertently not made in Section 15.04.K.*

*The applicant has stated that there will be 19 slips total, 15 will be dedicated to members and 4 along the Pentwater Lake frontage of the proposed building are assigned as transient slips. Staff interprets the Zoning Ordinance to require one (1) parking space for each of two (2) permanent, seasonal or member slips, not for transient slips where boaters arrive and leave by boat. Thus, a maximum of eight (8) parking spaces are required. The applicant's site plan shows a maximum of eleven (11) parking spaces, seven (7) of which are ninety (90) degree spaces with a twenty-four (24') foot wide maneuvering lane, two (2) of which are adequate parallel parking spaces next to the proposed building – both are designated as handicap spaces, and the northern space may qualify as a van accessible handicap space. The remaining two (2) parallel spaces are inadequate spaces on the southeast portion of the property. **These last two spaces are inadequate because they are parallel spaces on the left side of the maneuvering aisle. Additionally, this area should be used for the other parallel parkers to turn around to exit the site. The storage of kayaks, and other watercraft should not be located within the parking lot maneuvering area.***

5. Buildings shall be designed to minimally obstruct water views.

*The proposed building is nearly the same size and placed in nearly the same location as the existing building. The proposed building is approximately 27 feet tall. Staff could not determine from the plans submitted whether or not the proposed building is taller than the existing building. **Staff recommends relocating the existing accessory building (shed) and the dumpster enclosure for better viewing of the water.***

### **Recommendation**

The public hearing was advertised in the Oceana Herald Journal Newspaper in the June 3, 2021, edition. Notices were also sent via first-class US Mail to all property owners and occupants within 400 feet of the subject site (only 300 feet is required) At this time, Staff recommends the Planning Commission hold the public hearing as required by the Zoning Ordinance and the Michigan Zoning Enabling Act in an effort to collect public comment on the proposed Special Land Use designation for the Subject Site.

Following the public hearing the Planning Commission may:

1. Discuss the public comments received and either postpone a decision on the proposed Special Land Use designation or consider approval or denial of the Special Land Uses proposed.
2. Should the Planning Commission postpone a decision on the Special Land Uses, the Planning Commission may or may not review the proposed preliminary site plan which has been submitted and reviewed by Staff and the Village Engineer.
3. Should the Planning Commission wish to make a decision on the Preliminary Site Plan, the Planning Commission may either approve or deny the approval.
4. Should the Planning Commission approve both the Special Land Uses and the Preliminary Site Plan, the next step is Final Site Plan review.

The Planning Commission need not make a decision regarding the Special Land Use designation for the site until any public comment received has been discussed and Staff's review of the Preliminary Site Plan has also been considered.

Should the Planning Commission be willing to consider Special Land Use approval at this time, Staff suggests the following conditions should be included along with any motion to approve the Special Land Uses:

1. Consideration for relocation of the existing detached accessory building (shed) currently located at the north end of the property to another location on-site during site plan review;
2. Consideration for relocation and screening of the existing dumpsters, including grease dumpster, to another location during site plan review;
3. Prohibiting the bulk storage of gasoline or other liquid fuels and gases in accordance with Section 15.04.K of the Zoning ordinance; and,
4. Prohibiting the overnight parking of boats, trailers, or other vehicles (i.e., kayaks, SUPs, dinghies, and bicycles) within the approved on-site parking facilities;



601 First Street NW  
Grand Rapids, MI 49504  
P: 616.285.6933  
<https://rockfordconstruction.com/>

April 16<sup>th</sup>, 2021

Keith Edwards  
Zoning Administrator - Village of Pentwater  
65 S. Hancock St. - P.O. Box 622  
Pentwater, MI 49446

**RE: Pentwater Yacht Club – Special Land Use & Site Plan Review Submittal  
205 S Dover Street, Pentwater, MI 49449**

Dear Mr. Edwards:

Enclosed are thirteen (13) sets of civil, architectural, landscape and site photometric drawings to share with the Village of Pentwater planning commission committee members for the newly proposed Pentwater Yacht Club building at 205 South Dover Street.

The proposed single-story building will be 5,235 sq. ft. and will almost exactly match the existing footprint of the current club. The only additional area is on the shore (east) side of the building, where approximately 550 sq. ft. has been added outside of the existing building footprint. The exterior deck to the north, south and west will be replaced as well, and will exactly match the footprint of the existing exterior deck.

There will be no change to the function of the club, it will still operate as a private club and marina with a restaurant. New dining room and kitchen facilities will be provided, along with several other supporting spaces. But because the zoning districts and ordinances have changed since the club was originally constructed, we are submitting a special land use application to allow for the club to be constructed within the central business district.

As for the site improvements, minimal improvements are proposed to the existing parking lot grades and storm sewer system. The existing parking is proposed to be re-paved, with minor improvements to grades in certain spots within the site. Then the existing utilities will be maintained, except for a new proposed fire suppression connection is proposed to the existing public main within Second Street. Otherwise, the bulk of the work will be at the east elevation of the building with a new proposed entry sidewalk, ramp, and exterior raised planter beds.

Please let us know if you have any questions or if you need anything else with regards to the special land use and site plan review application packages. Thank you for your time, and we are excited to present this great project to the Village of Pentwater Planning Commission.

Sincerely,

A handwritten signature in black ink, appearing to read 'Josh Strautz'.

Josh Strautz, Architect  
Rockford Construction

**VILLAGE OF PENTWATER**  
**PETITION FOR SPECIAL LAND USE PERMIT**  
*(Pentwater Community Zoning Ordinance – SECTION 15.02)*

Parcel Number  
Name  
Date:

Josh Strautz  
 \_\_\_\_\_  
 (Applicant)

601 First Street NW  
 \_\_\_\_\_  
 (Address)

Grand Rapids, MI 49504  
 \_\_\_\_\_  
 (City, State, Zip Code)

(616) 285-6933  
 \_\_\_\_\_  
 (Telephone)

jstrautz@rockfordconstruction.com  
 \_\_\_\_\_  
 (E-mail)

<u>OFFICE USE ONLY</u>	
Application number _____	
Date Rec'd _____	
Fee Rec'd _____	
PC Action: _____	
Date: _____	
Expiration Date: _____	

APPLICANT'S CAPACITY IF NOT PROPERTY OWNER (circle one):  
 Builder / Have Option to purchase / Agent other Architect \_\_\_\_\_

<b>PROPERTY OWNER:</b>	Pentwater Yacht Club		
<b>PROPERTY ADDRESS:</b>	205 S Dover St, Pentwater, MI 49449		
<b>PARCEL NUMBER:</b>	044-433-002-00		
<b>* ATTACH LEGAL DESCRIPTION</b> See Attached Survey for Title Description			
<b>ZONING DISTRICT:</b>	C-3	<b>PRESENT USE:</b>	Private Club + Marina
<b>CORNER LOT:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>ROADS:</b>	Dover St + Second St
<b>NEW BUILD:</b>	<b>WATER:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>SEWER:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

**SPECIAL LAND USE REQUESTED:**

The Pentwater Yacht Club is currently operating as a Private Club and Marina under previous zoning designations. With the proposed construction of a new building to replace the existing structure, the yacht club is seeking special land use approval to bring the site into compliance with the current zoning ordinance. The goal of the project is to replace the existing use and function of the existing building. We are not proposing any additional uses with this project. We are not proposing any additional boat slips nor are we proposing to extend further into Pentwater Lake.

(Attach sheets if necessary)  
 (  attached)

**ATTACH A SITE PLAN FOR REQUEST**, (drawn to a scale of not less than: property under 3 acres, 1 in = 10 ft.) Depicting property, including all proposed and existing structures and other

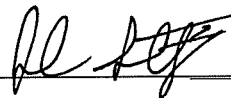
above ground streets/alleys/easements and fences/walks/ landscaping/greenbelts proposed and existing.

**ATTACH A CERTIFIED SURVEY (IF REQUESTED BY THE ZONING ADMINISTRATOR OR PLANNING COMMISSION)**, (completed by a professional surveyor or engineer for the property at issue [including a written drawing showing structures and stakes set on the property boundaries or corners] in order to insure that all requirements of the Zoning Ordinance will be met.) *See Pentwater Community Zoning Ordinance Section 19.15.*  
 attached)

**NUMBER OF ATTACHED SHEETS:** 18

1. <input type="checkbox"/> Legal Description	Number of Pages: 0 - see survey
2. <input type="checkbox"/> Special Land Use Requested	Number of Pages: 9 arch. dwgs
3. <input type="checkbox"/> Site Plan / Sketch	Number of Pages: 7 site dwgs
4. <input type="checkbox"/> Survey	Number of Pages: 1 survey
5. <input type="checkbox"/> Other:	Number of Pages: 1 - narrative

**AFFIDAVIT:** I agree the statements made above are, to the best of my knowledge, true and accurate. If found not to be true, any Planning Commission ruling that may be issued may be void. Further, I agree, any Planning Commission ruling and subsequent permit that may be issued is with the understanding that all applicable sections of the Pentwater Community Zoning Ordinance will be complied with. Also, I agree to notify the Zoning Administrator for the Village of Pentwater for inspection before the start of construction and when locations of proposed uses are marked on the ground. Further, I agree to give permission for officials of Village of Pentwater to enter the property subject to this permit application for purposes of inspection. Also, I understand any zoning action by the Planning Commission conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, building code, deed restriction or other property rights.

Signed: 

Date: 04/16/2021

**When completed send to:**  
**Village of Pentwater Zoning Administrator**  
**327 S. Hancock Street – P.O Box 622, Pentwater, Michigan 49449**  
**Phone: (231) 869-8301 ; Fax: (231) 869-5120**

<u>OFFICE USE ONLY</u>	
HEARING DATE:	<u>6/22/21</u>
DATE SUBMITTED TO PLANNING COMMISSION:	<u>5/20/21</u>
<b>[THIS FORM MUST BE DISTRIBUTED TO THE PLANNING COMMISSION WITHIN 30 DAYS OF RECEIPT]</b>	

<u>OFFICE USE ONLY</u>	
Response requested from:	
DPW	<input checked="" type="checkbox"/>
Police	<input checked="" type="checkbox"/>
Fire	<input checked="" type="checkbox"/>
Other	<input checked="" type="checkbox"/> <u>Engineering</u>
<i>Please attach your response and RETURN WITHIN 10 DAYS OF THIS REQUEST to the Zoning Administrator</i>	



May 20<sup>th</sup>, 2021

Keith Edwards  
Zoning Administrator, Village of Pentwater  
65 S. Hancock St.  
Pentwater, Michigan 49449

**RE: Pentwater Yacht Club**

Dear Keith:

We have received and reviewed the plan submittal for the proposed Pentwater Yacht Club. The following sheets were received and reviewed, all dated April 21<sup>st</sup>, 2021:

- CS – Project Cover List
- C-201 – Existing Site Conditions
- C-203 – Demolition Plan
- C-205 – Site Layout Plan
- C-206 – Existing & Proposed Building Placement
- C-300 – SESC & Grading/Utility Plan
- C-500 – Details and Specifications
- L-201 – Landscape Plan
- E0.1 – Site Lighting Photometric Plan

In addition to the above, sheets A1.1 and A1.2 (floor plans), sheet A4.1 (elevations) and renderings 1 - 4 from Rockford Construction dated 04/21/21 were also received and reviewed. The following comments are made for your consideration:

Sheet C-205:

- EGLE requirements buildings within the 100-year floodplain must have the lowest floor elevated at least 1-foot above the 100-year flood elevation of 584.3 (NAVD88). FFE must not go below 585.3

Sheet C-300:

- Ensure the proposed watermain bend is restrained and at a minimum 5' depth.

Summary

The following items should be addressed by applicant:

- Proposed sanitary services have not been identified. Please clarify if the existing sanitary services will be utilized (if so, identify it in plans) or if a new service will be installed.
- A grease trap shall be installed to prevent grease from entering the system. Please supply the make and model as well as calculations for how the interceptor was sized.
- Measures should be taken to ensure no material is to enter the water.

Should you have any questions or require clarifications, please advise. Thank you.

FLEIS & VANDENBRINK



Michael Mattzela, P.E.  
Project Manager

cc:

**Pentwater Yacht Club  
205 S. Dover  
Pentwater, Michigan 49449**

**Preliminary Site Plan Review  
June 15, 2021**

**By  
Keith Edwards, Zoning Administrator  
Village of Pentwater,  
Oceana County, Michigan**

## **Introduction**

The existing Pentwater Yacht Club, located at 205 S. Dover Street, at the west end of Second Street is proposing to reconstruct their existing building. The existing building operates as a private club that includes a restaurant (without drive-through service) and a bar, including related office space, and a marina.

The applicant, Rockford Construction, on behalf of the Pentwater Yacht Club, proposes to demolish the existing building and construct a new building to include indoor and outdoor seating, on both the main floor and an upper deck, and a new dock for transient boaters along the western side of the building adjacent to Pentwater Lake.

## **Background**

It appears likely that the existing building, was constructed prior to modern Zoning Regulations, as the former warehouse (according to local lore) was converted to the establishment of a private club. According to the Pentwater Township Property Record Card from the Assessor's office, the current building includes a 4,358 sq. ft. Clubhouse with kitchen, 320 sq. ft. game room for a total of 4,678 sq. ft. of indoor floor area and includes a 680 sq. ft. outdoor wood deck over concrete, as well as a 300 sq. ft. covered concrete front porch. The Assessor's records do not provide any information regarding the removable docks used for the marina portion of the site's use, nor the existing detached accessory building (shed) located at the northeast corner of the property adjacent to Second and Dover Streets.

The property is located within the C3, Central Business Zoning District, whereby restaurants, excluding those with drive-through facilities, are a Permitted Use while lodges and private clubs; and marinas are listed as Special Land Uses. Accessory buildings (i.e., sheds) are permitted uses as regulated by Section 3.08 of the Zoning Ordinance.

The Private Club and Marina are Special Land Uses that require a public hearing to be conducted by the Village Planning Commission prior to their establishment or site plan approval of significant improvements.

## **Process**

Since both Special Land Use approval and Site Plan Review Approval are required for this project, the Planning Commission will first hold a public hearing on the Special Land Uses on June 22, 2021. The Planning Commission may conduct the Site Plan Review simultaneously or in succession to the Special Land Use Review. The proposed improvements to the property as well as all Special Land Uses also require Site Plan Review by the Village Planning Commission. Village Council approval is not required for Special Land Uses nor for Site Plan Review Approval.

## **Special Land Uses**

Staff has reviewed the Special Land Use request in a separate report dated May 20, 2021, and submitted that prior to the Planning Commission setting the date for the Special Land Use public hearing scheduled for June 22, 2021. In accordance with Section 12.03 of Chapter 12 of the Village Zoning Ordinance, both Lodges and Private Clubs and Marinas are listed as Special Land Uses in the C-3, Central Business District.

## **Preliminary Site Plan Review**

Site Plan review is required in accordance with Section 12.04.A and the provisions of Chapter 16 – Site Plan Review. This section will focus on the Zoning Ordinance provisions pertaining to Chapter 16 – Site Plan Review, Chapter 17 – Parking and Chapter 21 - Signs. The following review is based on the revised plans dated April 21, 2021.

### **Chapter 16 – Site Plan Review – Section 16.03.A – Preliminary Site Plan Review Requirements**

In accordance with this Section 16.03 et. seq. of the Zoning Ordinance, Staff is providing the following comments:

1. Generally, Staff finds the submitted site plan drawings are adequate, however, the scale of the drawings does not meet the Zoning Ordinance requirement of 1" = 10' for a site that is less than 2 acres in size (Section 16.03.A.2.b). While Staff finds that the scale of 1" = 20' is adequate for review with one exception - that the scale on page C-203 be correctly shown as 1"=20' rather than 1"=50'.
2. **The applicant should provide an "existing conditions" drawing (i.e. page C-206) that would include all existing buildings and driveways within 100 feet of the Pentwater Yacht Club property lines (See Section 16.03.A.20b.(9)).**
3. Please provide the existing Zoning District and Land Use of all properties abutting the subject property.
4. Lastly, please show the proposed Sanitary Sewer Connection on page C-300.

## Chapter 17 – Parking

Since the property is located within the C-3, Central Business Zoning District, no parking is required for the Private Club or Restaurant (without drive-through facilities) land uses. However, one (1) on-site parking space for every two (2) boat slips is required.

The applicant has stated that there will be 19 slips total, 15 will be dedicated to members and 4 along the Pentwater Lake frontage of the proposed building are assigned as transient slips. Staff interprets the Zoning Ordinance to require one (1) parking space for each of two (2) permanent, seasonal or member slips, not for transient slips where boaters arrive and leave by boat. Thus, a maximum of eight (8) parking spaces are required.

The applicant's site plan shows a maximum of eleven (11) parking spaces, seven (7) of which are ninety (90) degree spaces with a twenty-four (24') foot wide maneuvering lane, two (2) of which are adequate parallel parking spaces next to the proposed building – both are designated as handicap spaces, and the northern space may qualify as a van accessible handicap space. The remaining two (2) parallel spaces are inadequate spaces on the southeast portion of the property. **These last two spaces are inadequate because they are parallel spaces on the left side of the maneuvering aisle. This area should be used for the other parallel parkers to turn around to exit the site. The storage of kayaks, and other watercraft should not be located within the parking lot maneuvering area. This area may also be useful to provide a screened storage area for the kayaks and other portable watercraft, relocation of the dumpsters out of the road right-of-way and relocation of the accessory building.**

## Chapter 21 - Signs

The Zoning Ordinance does not permit signs above the building roof-line (See Section 21.07.F), thus the proposed roof mounted sign on the west side of the proposed building cannot be permitted.

Please provide details of the proposed ground or free-standing sign proposed within the landscape area near the intersection of Dover and Second Street, and the other wall signs in accordance with Section 21.10.B et seq. Details should include any proposed illumination of the sign area.

### Village Department Comments

1. Police Chief, Laude Hartrum had no specific comments;
2. Fire Chief, Paul Smith questioned whether a fire suppression system is required for the building. The answer is yes, as currently designed, as reported by Randy Miller of the Oceana County Building Department; and,
3. Chris Brown, Village Manager, Director of the Department of Public Works and Streets Coordinator stated that the volume of water available at the nearest hydrant is up to 1000 gallons per minute (gpm) and should be adequate for the 600 gpm requirement for the new building.
4. The Village Engineer's comments are listed in the attached letter.

### Staff Comments in Preparation for Final Site Plan Review:

1. Sheet C-201: Please show on the drawing where and to what extent the easement to the Village of Pentwater is located in accordance with Schedule B – Section II Notes.
2. Sheet C-203:
  - a. Where the existing bituminous is to be saw-cut on the property boundary adjacent to the Village Green, please indicate that the bituminous encroaching upon the Village Green to be removed and restored with topsoil and seeded.
  - b. Please remove the existing wood deck that is encroaching upon the Village Green at the south end of the property and restore with topsoil and seed.
  - c. Please indicate within your note that the dumpsters in the right-of-way of Dover and Second Street to be removed. **The dumpsters shall be placed elsewhere upon the Pentwater Yacht Club property and screened from view.**
3. Sheet C-205:
  - a. Please indicate within your note that the dumpsters in the right-of-way of Dover and Second Street to be removed. **The dumpsters shall be placed elsewhere upon the Pentwater Yacht Club property and screened from view.**

- b. You may wish to change the Floodplain Elevation to 583 in accordance with the soon to be published FIRM Maps dated August 24, 2021.
  - c. **Please consider working with the Village of Pentwater and any other adjacent properties to adjust the surface of the parking area to be one foot above the new floodplain elevation of 583 feet above sea level.**
4. Sheet C-206: Please provide the proposed sanitary sewer line and connection details on the plan.
5. Sheet L-201:
  - a. Please provide the details of the proposed ground mounted or free-standing sign to be located near within the landscape bed at the intersection of Dover and Second Streets.
  - b. Please show the height and type of existing fence to remain along the north/south property line at the intersection of Dover and Second Streets.
  - c. Please indicate within your note that the dumpsters in the right-of-way of Dover and Second Street to be removed. **The dumpsters shall be placed elsewhere upon the Pentwater Yacht Club property and screened from view.**
  - d. **Please consider relocating the accessory building (shed) from its existing location to provide an unobstructed view of Pentwater Lake. Could the area within this building be incorporated into the storage area of the main building?**
  - e. Provide the location of air conditioning condensing units and any proposed screening from view and to muffle sound transmission.
  - f. Please provide the details of any proposed screening for the existing storage area of kayaks and other portable watercraft stored on-site.
  - g. Please provide the details of any proposed fencing to be utilized around the exterior of the building and deck railings.
6. Sheet A4.1:
  - a. Please remove the roof-top sign from the plans.
  - b. Please provide dimensional details of all proposed wall signs.

7. Sheet E0.1: Please provide catalog cut images of the proposed exterior lighting, including the upper-level deck and stairs – if any.

### **Staff Recommendation**

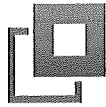
At this time, Staff recommends the Planning Commission consider conditional approval of the Preliminary Site Plan subject to the following conditions, and Staff approval:

1. While Staff finds that the scale of 1" = 20' is adequate for review with one exception - that the scale on page C-203 be correctly shown as 1"=20' rather than 1"=50'.
2. The applicant must provide an "existing conditions" drawing (i.e., page C-206) that would include all existing buildings and driveways within 100 feet of the Pentwater Yacht Club property lines (See Section 16.03.A.20b.(9)).
3. Provide on the existing Zoning District and Land Use of all properties abutting the subject property on the same page to be created in No. 2 above.
4. Please show the proposed Sanitary Sewer Connection on page C-300.

Upon review of the revised preliminary site plan to address the above 4 items, Staff will stamp the Preliminary Site Plan approved.

In addition to the items listed on pages 5 through 7 of this report that are necessary for Final Site Plan Review, the applicant must provide copies of permits or letters of approval from:

1. The Michigan Department of Environment, Great Lakes and Energy (EGLE) and/or the US Army Corps of Engineers (USACE); and,
2. Soil Erosion Permit from the Oceana County Drain Commissioner.



# FLEIS & VANDENBRINK

DESIGN. BUILD. OPERATE.

May 20<sup>th</sup>, 2021

Keith Edwards  
Zoning Administrator, Village of Pentwater  
65 S. Hancock St.  
Pentwater, Michigan 49449

**RE: Pentwater Yacht Club**

Dear Keith:

We have received and reviewed the plan submittal for the proposed Pentwater Yacht Club. The following sheets were received and reviewed, all dated April 21<sup>st</sup>, 2021:

- CS – Project Cover List
- C-201 – Existing Site Conditions
- C-203 – Demolition Plan
- C-205 – Site Layout Plan
- C-206 – Existing & Proposed Building Placement
- C-300 – SESC & Grading/Utility Plan
- C-500 – Details and Specifications
- L-201 – Landscape Plan
- E0.1 – Site Lighting Photometric Plan

In addition to the above, sheets A1.1 and A1.2 (floor plans), sheet A4.1 (elevations) and renderings 1 - 4 from Rockford Construction dated 04/21/21 were also received and reviewed. The following comments are made for your consideration:

Sheet C-205:

- EGLE requirements buildings within the 100-year floodplain must have the lowest floor elevated at least 1-foot above the 100-year flood elevation of 584.3 (NAVD88). FFE must not go below 585.3

Sheet C-300:

- Ensure the proposed watermain bend is restrained and at a minimum 5' depth.

Summary

The following items should be addressed by applicant:

- Proposed sanitary services have not been identified. Please clarify if the existing sanitary services will be utilized (if so, identify it in plans) or if a new service will be installed.
- A grease trap shall be installed to prevent grease from entering the system. Please supply the make and model as well as calculations for how the interceptor was sized.
- Measures should be taken to ensure no material is to enter the water.

Should you have any questions or require clarifications, please advise. Thank you.

FLEIS & VANDENBRINK



Michael Mattzela, P.E.  
Project Manager

CC:

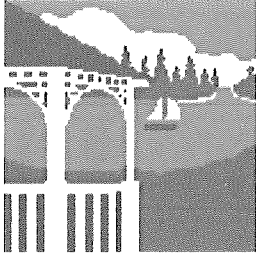


Please reply by August 15 with your input on these two items. If you would like to learn more please contact us.

Thank you,

The Oceana Planning Commission

Vince Greiner, Chairperson	<a href="mailto:greinerv@oceana.net">greinerv@oceana.net</a>	873-4040
Stott Rumsey, Vice-Chairperson	<a href="mailto:scott.rumsey@gmail.com">scott.rumsey@gmail.com</a>	231-450-0053
John Stivers, Secretary	<a href="mailto:jhstivers@comcast.net">jhstivers@comcast.net</a>	616-299-6806
Allen Blohm	<a href="mailto:tractor1963@frontier.com">tractor1963@frontier.com</a>	861-2868
Garry McKeen	<a href="mailto:ltpts1@gmail.com">ltpts1@gmail.com</a>	312-401-4939
John Foss	<a href="mailto:fossj@mercyhealth.com">fossj@mercyhealth.com</a>	231-670-7845
Michael Cook	<a href="mailto:mcook2016@frontier.com">mcook2016@frontier.com</a>	231-301-5440
Paul Cutter	<a href="mailto:pcutter@cityofhart.org">pcutter@cityofhart.org</a>	231-638-1963
Phil Morse	<a href="mailto:pmorse@oceana.mi.us">pmorse@oceana.mi.us</a>	231-450-0355



# VILLAGE OF PENTWATER

ON PENTWATER LAKE AND LAKE MICHIGAN  
327 South Hancock Street, P.O. Box 622, Pentwater, Michigan 49449  
(231) 869-8301 FAX (231) 869-5120  
[www.Pentwatervillage.org](http://www.Pentwatervillage.org)

## ZONING ADMINISTRATOR'S REPORT June 3, 2021

The following is a summary of activity conducted by the Zoning Administrator in May 2021.

**Code Enforcement** – Doing some spring cleaning of improperly stored boats, RVs, etc.

**Planning Commission** - The Planning Commission met in-person on May 25, 2021 to:

- Hear a presentation from Rockford Construction regarding the proposed demolition and reconstruction of the Pentwater Yacht Club, a Special Land Use. Furthermore, the Planning Commission set June 22, 2021 as the date for a public hearing to be held on the Special Land Use at their regular June meeting which is held at Park Place.

**Zoning Board of Appeals** - The Zoning Board of Appeals did meet on May 18, 2021, to elect Bill Bainton as Chairperson and Lisa McKinney as Vice Chairperson as well as to approve the 2021-2022 meeting schedule.

### **Zoning Permits**

The following Zoning Permits were issued in May of 2021:

1. ZP 21-20 was issued for a fence at 379 N. Hancock.
2. ZP 21-21 was issued for a new sign at EnerGFitness at 560 S. Hancock.
3. ZP 21-22 was issued for a partial demolition of the house at 114 E. Hanover.

### **Other**

None.

Sincerely,

*Keith J. Edwards*

Keith Edwards  
Zoning Administrator