

SAUGATUCK TOWNSHIP PLANNING COMMISSION

February 28, 2005

The Saugatuck Township Planning Commission met on February 28, 2005, at the township hall on Blue Star Highway, Saugatuck, Michigan 49453.

Present: Darpel, Hanson, Marczuk, Milaukas, and Olendorf

Absent: Rausch, Jarzembowski

Also present: Planner Mark Sisson, Z.A. Ellingsen, Todd Warnock for Ox-Bow, Matt Bryant for Timberline, Jeff Klemm and members of the general public.

Chairman Milaukas called the meeting to order at 7:00 P.M, welcomed audience and adopted the agenda. Pertaining to the minutes of 1/24/05, Marczuk made a motion to approve them as presented. Hanson supported and the motion carried. Pertaining to the minutes of the special meeting held on 2/15/05, Milaukas noted Planner Mark Sisson was not present and struck the line. Milaukas then made a motion to approve them as amended. Olendorf supported and the motion carried.

There being no general comments or correspondence from the public, Milaukas proceeded to the next agenda item of the OxBow school of art public hearing and site plan review.

Milaukas noted the legal requirements for the public hearing were mailed and published appropriately. Olendorf revealed a personal history with OxBow, but stated he has no financial gain from the granting of a Special Approval Use. Hearing no objections, Milaukas stated there is no conflict of interest and Olendorf can vote on the agenda item. Todd Warnock, OxBow Chairman of the Board, then presented his request for a SAU to expand the existing campus with 2 new dormitory facilities and the renovation/expansion of an existing Inn. He spoke of the school's history and future plans, adding they are taking steps to minimize the traffic issue through the neighborhood. He noted the dormitory facilities would bring in students that would more likely remain cloistered on campus. Commissioners then asked questions to clarify several issues, one being the number of students and staff who would be using the facilities. The applicant provided approximations but did not know for sure.

Milaukas opened the public hearing for comments on the request for a SAU by Oxbow at 7:46. David Balas, 555 Spear Street spoke in support of the project. Bobbie Gaunt, 925 Park Street stated as a resident of Park Street she was supportive of the project. Ken Carls, 325 Water Street and former OxBow Board Member, current SCA Board Member, spoke in support of the project. Tracey Shafroth, 1015 Park Street stated she is a historical supporter of the school, but has deep concerns toward expansion; citing traffic, noise, and excessive speeds as having reached a dangerous point. She suggested the school investigate alternative plans for managing cars without increasing parking. Carol Sarosck, 6465 130th Ave., stated she is a current commuter student and suggested keeping commuter traffic as it creates a connection between the school and the community, but require students to stay on campus during the day. James Brandess, 294 McVea Drive spoke in support of the project. Pat Dewey, 579 Mason Street and Auxiliary Board Member supported commuter enrollment as a way to connect with local residents. Martha McDowall, 1664 Maple Street supported commuter traffic. Bill Johnson, 6957 Lakeshore Court, supported commuter traffic. Patty Birkholz, 3413 64th Street, and prior member representing the local community on the OxBow Board, spoke in regard to the economic advantages the school brings to the area and the school's need to expand to remain viable. Dayle Harrison,

3108 62nd Street appreciated Park Street resident's concerns but felt the SAU is a modest request. John Rossi, 324 W. 17th Street, Holland and maintenance person for OxBow noted the school's uniqueness and asked the Commission to allow the school to grow. Milaukas interjected the process the commission goes through to permit or deny a project does not include whether it is good or bad, but rather whether the project complies with the standards of the ordinance. He then read the standards of Section 40-693(b) and returned to the public hearing. Marilyn Starring, 716 Water Street spoke for out of town in-laws Henry and Claradine Gleason of 1025 Park Street, stating their concerns for traffic volume and speed. Patricia Denner, 3455 Clearbrook Court felt education of the students, faculty, and visitors could help address the traffic impact on the neighborhood. Todd Warnock spoke again, stating he felt he could work with the neighbors in regard to the traffic issues.

Having no further public comment at 8:25, Milaukas then read letters submitted for the public hearing. Gordon Gallagher, City of Saugatuck Manager, wrote regarding the City Council's concerns that the project is located at the end of a city street and asked to address the percentage of increase in traffic. Warnock roughly presumed a 15% to 30% increase. Gallagher then asked to address a traffic study they submitted from July 2004. Warnock stated they had met and addressed the study previous to tonight's meeting. Gallagher closed by stating the City remains supportive of OxBow. Milaukas then read a letter from Charles and Nancy Zolper who are opposed to further expansion due to traffic increases on Park Street. Milaukas read a fax from Steve Capillo who is opposed to the project. Letter from Jason Kalajainen, Executive Director Holland Center for the Arts, who supports the project. Letter from James & Sharon Dewey who are opposed to the project. Letter from Jane Underwood supporting the project. Letter from John Breen representing other Park Street residents opposed to the project. Milaukas noted the letter does not note who the other residents are or includes their signatures. Milaukas then directed the Planning Commission members consider the letter as representing the author alone. Letter from John Breen representing himself opposed to the project. Letter from Sharon Smith opposed to the project.

Olendorf made a motion to close the public portion of the hearing at 9:10. Marczuk seconded and the motion carried.

Milaukas asked if Park Street has been legally ruled as public or private, and asked applicant to provide proof of Park Street's status. Olendorf asked applicant to verify the acreage involved stating there is a discrepancy. Planner Mark Sisson presented comments to the SAU in regard to landscape design requirements and lack of detail in the plans. Warnock stated OxBow would be in agreement with the planner's suggestions and could make those requirements as part of the site plan review. Milaukas asked members if they are prepared to make a determination at this point or should the application be tabled until the points above could be addressed. Darpel asked if some alternative could be brought to the commission to eliminate the traffic issue. Additional discussion took place with Darpel requesting to table the decision until the Park Street traffic is addressed. Hanson stated a concern with emergency access to the school.

Olendorf made a motion to grant the SAU contingent upon, prior to site plan approval, the following conditions are met: 1.) A documented meeting with the residents to move toward a compromise concerning traffic, and the commission is satisfied progress has been made. 2.) A legal opinion from the City of Saugatuck or other court document is provided as to the public use for Park Street. 3.) A plan is submitted in regard to a safety barrier on the sharp turn in the gravel section of the road. 4.) A plan for emergency access. 5.) An accurate measurement of the acreage is provided. 6.) The township planner re-calculate parking needs and applicant comply with the requirement. Marczuk seconded and additional discussion ensued with Milaukas stating they received more information with this application than most and suggested waiting until the next meeting so the approval is not

contingent on so many points. Darpel stated the applicant has not met the 1st ordinance requirement of safety in the neighborhood and they were made aware of that requirement in 2003.

Olendorf withdrew his motion and Marczuk withdrew his support.

Motion by Darpel to table the request and applicant take note of the six contingency points. Milaukas added a 7th requesting the township attorney give an opinion as to the Township's potential liability should the SAU be granted. Hanson seconded the motion and it passed 5 – 0. Warnock thanked the commission and stated he would be back for the meeting in March with significant documented efforts.

After a brief recess, the meeting resumed at 10:25. Milaukas requested to reverse agenda items 7 and 8.

Timberline PUD Site Plan Amendment. Milaukas stated the original approval was for duplex structures and the applicant now wants to amend the PUD for single family residences. Milaukas asked applicant for the square footage increase per dwelling, stating substantial changes in the application can require a new public hearing. The applicant stated the amendment is an improvement, Milaukas felt the changes are substantial and include a doubling of the square footage and a reduction of green space. Sisson stated the applicant could go through the site plan review process and not have a public hearing. Milaukas asked the commissioners if the changes in open space warranted a public hearing or amended site plan and should notice be given to the neighbors. A motion was made by Olendorf to post the request for an amended PUD and hold a public hearing at the next meeting in March. Hanson seconded the motion and additional discussion took place. Milaukas called the question and the motion passed 5 to 0.

Jeff Klemm, Site Plan Review. Milaukas stated Klemm is presenting a site plan review for a permitted use of an office building at 3219 Blue Star Hwy, the property formerly know as Bogies Restaurant. Klemm stated the current building has housed various businesses and he has been working with Ellingsen and Sisson to develop the proposed site plan. He then turned the presentation over to his project engineer who stated the building would be razed and a new building constructed on the site. Discussion took place in regard to the number of parking spaces and landscaping design as well as parking locations, buffers, and setbacks. Sisson stated they would need a variance for the front setback, driveway separation and 20% parking requirement in front. Milaukas stated he would like to see a 10' increase in the front buffer by moving the building back within the lot. Darpel verified the exterior siding would be cedar tongue and groove. Darpel asked about the type of signage proposed. Milaukas asked about parking lot lighting. Klemm stated he would comply with the signage and lighting requirements. Motion by Hanson to approve the preliminary site plan subject to ZBA approval with the following conditions: 1.) Front setback be 30' with additional landscaping to hide the front parking. 2.) Temporary access be provided so in the future, cross easement with the adjoining property driveway may be achieved. 3.) Parking lot lighting will be in two locations, 12' maximum height, with down style lights. 4.) Signage will follow township ordinance and be front lit. 5.) Planning Commission accepts the site plan because the applicant has made allowances for the three variances required. Motion was supported by Darpel and carried 5 to 0.

Review of Zoning Ordinance Amendments. Milaukas noted the moratoriums are on the Township's agenda for Wednesday's meeting. Board discussed zoning ordinance amendments and set workshop meetings.

Meeting adjourned at 11:59 P.M. Two special workshop meetings are set for Monday, March 7 and Wednesday, March 16, at 6:00 P. M. The next regular meeting is March 28 at 7:00 P.M.

Jane A. Wright, Recording Secretary

Sandy Rausch, Secretary

MOTIONS

1. Motion by Marczuk/Hanson to approve the minutes from January 24, as submitted.
2. Motion by Milaukas/Olendorf to approve the minutes from February 15, as amended.
3. Motion by Olendorf/Marczuk to close public portion of hearing on OxBow SAU.
4. Motion by Olendorf/Marczuk to approve the OxBow SAU with conditions.
5. Motion withdrawn by Olendorf/Marczuk.
6. Motion by Darpel/Hanson to table the OxBow SAU until the next regular meeting.
7. Motion by Olendorf/Hanson to post a request for an amended Timberline PUD and hold a public hearing during the next regular meeting.
8. Motion by Hanson/Darpel to approve Jeff Klemm site plan review at 3219 Blue Star Hwy with the conditions noted above.