

**ELK RAPIDS TOWNSHIP
PLANNING COMMISSION**

Special Meeting Minutes – Tuesday, February 3, 2009

Chairwoman Mischel called the meeting to order at 6:40 PM at the Government Center, 315 Bridge Street.

Present: Dorance Amos, Jean Derenzy, William Larson, Jim Lundy, Shen Smith and Renee Mischel.

Absent: Emile Sabty

Also Present: Leonard Harrett, Zoning Administrator, Larry Nix, Planning Consultant and audience of 4.

Adoption of Agenda: Agenda for 2-3-2009 meeting was adopted by consensus.

Public Forum: None.

Old Business:

Pine Hollow Group Retreat – Preliminary Site Plan Review

Mr. R. Clark, applicant's planner, distributed an addendum to the proposed site plan on hand. The Planning Commission proceeded to review the site plan in accordance with the Zoning Ordinance prescribed standards.

Mr. L. Nix, Planning Consultant reviewed his memo of concerns dated 1-28-2009.

- Is there concern regarding set-back problem at the edge of the tennis court / well house encroachment? Planning Commission is not concerned as it will still be deemed non-conforming through a motion at approval date to cover the non-conformance.
- Building height at top of roofline? 27-1/2 feet (a new drawing was presented for the review).
- Mr. Harrett, Zoning Administrator, confirmed that there are in fact 11 bedrooms/14 bathrooms through a physical inspection and count.
- Water Supply – Wells/Water; Village water supply is within ¼ mile, but not readily available. Mr. Clark indicated that the "open ponds" may suffice for the Fire Department. Mr. Harrett advised that open ponds, as existing, do not suffice. This concern will be resolved with the Fire Department. Currently the water wells on the property are sufficient to meet the needs of the proposed facility other than any requirements by the Fire Department.

Other concerns discussed were:

1. Commercial Use vs. Residential Use. Antrim County determines a use by the fact whether the owner is actually living on the property which is the test for commercial use vs. residential use. Antrim Co. requires building & occupancy permits for all commercial uses. A Corporate Retreat Center, being a Commercial use, will require these permits to be issued by the County.
2. Mr. Clark added to the review that, "All lights & fixtures above the entrance are 'dark sky' shielded".
3. Mr. Clark stated that a meeting is currently scheduled for 2/4/09 with the Elk Rapids Fire Dept to discuss and work out a process for solutions to the Fire Department concerns.
4. The Planning Commission requested that the "Commercial Kitchen located in the Barn" be certified by the Antrim Co Health Department and a copy of the certification be provided to the Planning Commission.
5. As to a question regarding the use of the kitchen within the house – Mr. Clark responded that all meals are to be prepared in the "Barn" and served in the house.
6. Discussion regarding the combining of three lots into one lot – Mr. Nix indicated this would be a condition of approval on the final site plan.
7. Section 19.07 Concern – Mr. Clark provided supplemental information that service vehicles at the property would be no more than 1-5 vehicles per week.

8. Section 19.07 Concern – Emergency Access - Mr. Clark stated that there would be NO parking on any of the driveways or in the circle drive. All guests are to be shuttled to/from the facility.
9. Outside Entertainment & Day Uses was discussed. It was noted by the Planning Commission that there are no provisions or descriptions indicated on this subject within the paperwork documents received to date. The Planning Commission requests a position statement indicating that there shall be no outside entertainment activities, all events are limited strictly to the operation of a corporate retreat with no leasing of premises or grounds for outside activities i.e. weddings, picnics, etc.
10. Ordinance Sec 7.06-C was reiterated, “Jet Ski rental or use shall be prohibited by guests and/or employees at the Group Retreat Center.”
11. Ordinance Sec 17.04 Concerns addressed:
 - Legal description is present in the distributed addendum.
 - Re-alignment drawing was submitted with the 2-3-2009 addendum.
 - Photo of buildings was submitted to fulfill sub sec B-6.
 - Sub Sec B-10; there is no grass parking, all parking to be on surfaced areas.
 - Sub Sec B-13, 14; addendum of 2-3-2009 provides for the additional information as requested on utilities.
 - Sub Sec B-17; re outside lighting was covered under Mr. Nix statements and in item #3 above.
12. Mr. Sabty Concerns items were reviewed:
 - Bedrooms/Bathrooms are covered by Mr. Harrett statement above.
 - The dates on the Site Plan Map should read 2009 not 2008; the typo should be corrected.
 - Service & Facility loads covered elsewhere are not applicable.
 - Seven acre minimum parcel size, covered earlier by Mr. Nix.

In order to complete the review process, it was determined that the applicant should supply the following information to the Planning Commission:

1. A determination from Antrim County regarding the water system proposed by the Group Retreat project.
2. Issuance of building & occupancy permits by Antrim County upon the rezoning of the property to R-1.
3. Sign off from the Elk Rapids Fire Department that all concerns and issues raised have been resolved.
4. Outdoor Activities & Day Uses – A statement of intent reflecting the concerns of the Planning Commission with indication regarding no jet ski use, no non related day activities allowed, and the proposed intent of any or all outdoor activities provided for or by the guests of the corporate retreat.
5. Tax roll merger – letter of intent from the property owner indicating the proposed merger of the three property tax numbers into one R-1 tax number upon the Planning Commission approval of the site plan.

The applicant had requested that the Group Retreat Center, Special Exception be approved prior to proceeding with the rezoning process. When the review process gets completed with all the concerns resolved, and as the process proceeds to a Public Hearing, then an approval should include these conditions:

1. That the existing Tennis Court/Pump Well House encroachment into the South 30-ft setback continues and be designated a nonconforming structure.
2. That those sections of the existing property currently zoned R3 are to be rezoned to R1 zoning classification, so that the total property included in the Group Retreat Center, Special Exception Use is zoned R1.

3. That no Building or Occupancy permit should be issued until after the total property that is included in the Group Retreat Center, Special Exception Use is rezoned to an R! zoning classification.
4. That after the expiration of nine (9) months from the date of granting this approval with conditions to operate a Group Retreat Center, Special Exception Use, if the property is not totally rezoned to R1 zoning classification the Group Retreat Center, Special Exception Use shall become void.
5. That as long as the Group Retreat Center, Special Exception Use operation has not lapsed, the three (3) contiguous lots comprising the Group Retreat Center, shall always be grouped into one parcel that meets the standard requirement minimum parcel size of seven (7) acres for the operation of a Group Retreat Center, Special Exception Use.

Mr. Clark stated that there was to be an open house at Pine Hollow and invited the Planning Commission to attend. Mr. Nix cautioned that no more than three Planning Commission members were allowed to attend.

New Business

A Memo received from Mr. Nix dated 2-2-2009, "Report on Elk Rapids Township Community Character," was tabled until a later date.

Chairwoman Mischel indicated that the primary agenda item for the Feb. 17th Regular meeting will be the continuation of the Pine Hollow site plan review after completing the scheduled Public Hearing.

Correspondence None.

As there were no further discussions Chairwoman Mischel adjourned the meeting at 8:40 PM.

Shen B. Smith
Acting Secretary
2-3-2009

Minutes Approved 2-17-2009

Minutes are subject to approval at the next regular Planning Commission Meeting.