



City of New Buffalo
Planning Commission Special Meeting
August 25, 2020 at 7:00 p.m.

Agenda

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Previous Meeting Minutes- June 15,2020
5. Public Comment
6. Old Business
7. New Business
 - Smith Street Pocket Park
 - 509 W. Water Street, 11-62-8550-0037-01-8 & 11-62-8550-0091-02-1
8. Commissioner Comments
9. Adjournment

Call to Order at 5:07 p.m.

Roll Call: All Present Chair Billingslea; Members: Mark Joseph, Roxanne Lauer, Bill McCollum, Don Stoneburner

Approval of Agenda. Motion by Lauer, seconded by Joseph to approve the agenda.
Unanimous 5-0, Motion Carried.

Approval of Previous Meeting Minutes. Motion by Stoneburner, seconded by Lauer to approve the regular meeting minutes of January 7, 2020.
Unanimous 5-0, Motion Carried.

Public Comment:
None

Old Business
None

New Business

- Dooley's Site Plan Review, 310 W. Buffalo Street, 11-62-0340-0283-00-7

Motion by Joseph seconded by Stoneburner to approve the Dooley's Site Plan Review as presented: roll call vote, motion carried, 5-0.

Commission Comments: None

City Manager Richards thanked the commissioners.

Motion by Billingslea seconded by Lauer to adjourn the meeting at 5:15 p.m.: roll call vote, motion carried, 5-0.

Adjournment: 5:15 p.m.

amf

Paul Billingslea, Chair

Ann M. Fidler, City Clerk

August 12, 2020

Mr. David Richards
City Manager, City of New Buffalo
224 W. Buffalo Street
New Buffalo, Michigan 49117

**RE: Proposal for Professional Services
Smith Street Pocket Park**

Dear Mr. Richards,

Abonmarche is pleased to present this proposal for professional services related to developing a new pocket park in the Smith Street right-of-way adjacent the railroad tracks. Working with City staff, Abonmarche was able to secure \$112,500 from the Michigan Recreation Passport Grant program for the project. The project is expected to require a \$37,500 match from the City of New Buffalo. The project will include the following components:

1. Nine new public parking spots to serve the new park, downtown area and surrounding neighborhood.
2. A raingarden for stormwater management
3. Picnic tables, benches, trash/recycling receptacles and landscaping
4. A bicycle rack and sign/kiosk for the park to serve as a trailhead for the Marquette Greenway should it be constructed in the future

The following will identify our proposed Scope of Services, schedule and fees to complete this project.

Scope of Services

We expect that this project will include the following tasks:

- Kickoff meeting with city staff to review the project scope, work plans, schedule and preliminary costs estimates. This meeting is intended to verify project goals, timelines and lines of communication.
- Design Phase services will consist of developing a topographic survey, updated cost estimates, preparing plans and specifications for construction of the approved scope of work. This work will be performed with regular interaction with City staff through the design process.

- Abonmarche staff will present the project to the Planning Commission for review and approval.
- Abonmarche will present the project plans to the Michigan Department of Natural Resources for review and approval.
- Abonmarche will be responsible for securing all permits with the exception of those which are the responsibility of the contractor for the project.
- After completion of the design plans and specifications, Abonmarche will solicit bids from contractors to complete the work. Abonmarche will administer the bidding process, review the bids, recommend contractor(s) to complete the work, and prepare contracts after award of the project.
- Abonmarche will provide part-time inspection services as-needed throughout the construction process and review conformance with the contract documents. Abonmarche will review and approve shop drawings, pay requests, change orders, etc.
- Regular construction progress meetings – these are typically held with the contractor and city staff to discuss progress, upcoming work, issues, action items, budgetary items, and resident concerns.
- After construction is complete, Abonmarche will conduct a final site visit and prepare necessary closeout documents and a punch list for any items requiring additional attention or correction.
- Abonmarche will manage all grant reporting requirements on behalf of the City.

Exclusions

We will provide additional services on a time and materials basis in accordance with our current billing rates. Services not identified in this proposal shall be discussed as they arise. The following exclusions are not included in our project scope but can be added upon request or necessity.

- Wetland delineation and permitting
- Permit or Advertising Fees
- Geotechnical Services
- Private utility design – gas, electric, CATV
- Design of retaining walls and structural engineering services
- Mechanical, electrical, and/or plumbing engineering services
- Illustrative color renderings
- Architectural design
- Major site plan revisions based on Client or jurisdictional reviewing agency requirements.

Schedule

We can start this project immediately upon authorization to proceed. The expected project schedule will go as follows:

Phase
Design Phase

Date
September – November 2020



Bidding Phase
Construction Phase

December 2020
January 2021 – May 2021

Fees and Authorization

Our proposed fees to complete the above scope of services will be a lump sum fee of \$19,500.

Your signature on the attached Professional Services Agreement will serve as authorization to proceed with this project. If you have any questions, please do not hesitate to contact Tony McGhee at 269.252.8980 or via email at tmcghee@abonmarche.com.

Sincerely,
ABONMARCHE



Tony McGhee
Vice President of Development Services



Timothy R. Drews, PE, PTOE, RSP
Vice President





PLANNING REPORT

Oselka Marine Parking Lot

Meeting Date: August 25, 2020

Project Number: 8.13.20

Project Name: Oselka Marine Parking Lot

Applicant: Paul Oselka, Payjay, Inc., [REDACTED]

Property Location: 509 W. Water Street, as described on page 3 of the application. Tax ID # 62-8550-0037-01-8 and a portion of 62-855-0091-02-1.

Dimensions: 594.38 x 198, 117,687 SF, 2.7 acres.

Proposed Use: Paved parking lot for Marina operations, primarily seasonal boat storage.

Zoning: Waterfront Marina.

Action Requested: Site Plan Review 514 W. Water Street.

OVERVIEW

The applicant requests approval of a site plan to pave an existing parking lot at the Oselka Marina facility located at the corner of N. Willard and W. Water Street. There is no existing file for the long standing facility at that location but it contains only one main building and parking lot identified as principal uses allowed in conjunction with a "permitted" marine oriented business identified in Section 12.

The site plan submitted in conjunction with this application identifies a drainage plan and grading specifications and exceeds the Site Development Requirements of Section 12-4 of (1) a minimum lot area of 15,000 SF, (2) lot width of 100 FT and (3) set back requirements do not apply to the parking area.

Section 19-6, A, General Information

The application submitted is complete.

Section 19-6, B, Site Analysis/Project Impact

The drawings as submitted satisfy the requirements of this section.

Section 19-6, C, and 19-9, Site Plan Information and approval Standards

The drawings as submitted satisfy the requirements of this section While not required for approval, the Special Land Use requirements noted below are a useful guide in consideration of the project.

SECTION 17-2 STANDARDS FOR APPROVAL

A. Basic Approval Standards identified for a special land use permit.

The proposed use or activity shall:

1. Be compatible and in accordance with the City of New Buffalo Master Plan.
2. Be designed, constructed, operated, and maintained so as to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed.
3. Be adequately served by public facilities and services such as streets, police, fire protection, drainage structures, water and sewage facilities recreation facilities, and primary and secondary schools.
4. Not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to the natural environment, public health, safety or welfare by reason of excessive production of traffic, noise, smoke, odors or other such nuisance.
5. Promote the public interest through provision of a service, facility, or use determined to be non-detrimental to the residents of the city.
6. Be in compliance with all city ordinances, and state and federal statutes, and licensing provisions as applicable.
7. Not create safety concerns for pedestrian or vehicular circulation.

FINDINGS/RECOMMENDATION

After review of the application materials, confirmation of the facts reported, site inspections and evaluation of the site plan review criteria, it is recommended the site plan for Project #8.13.20, referred to as the Oselka Marine Parking Lot should be approved as submitted.

Respectfully,

David Richards, City Manager



Overview



Legend

- Railroads
- Roads**
- <all other values>
- Interstate
- Major Arterial
- Minor Arterial
- Roads
- Parcels
- Lakes
- Rivers
- Parcel
- Lake Michigan

| | | | | | |
|-----------------------|--|--------------|-----|---------------|------------------------------------|
| Parcel ID | 11-62-8550-0091-02-1 | Alternate ID | n/a | Owner Address | J K M REAL EST LIMITED PARTNERSHIP |
| Sec/Twp/Rng | n/a | Class | 201 | | 514 WATER ST |
| Property Address | 224 N HARRISON ST NEW BUFFALO | Acreage | n/a | | NEW BUFFALO MI 49117 |
| District | 11200 | | | | |
| Brief Tax Description | LOTS 3 & 10 BLK F & LOTS 2 & 3 BLK K WEST ADD TO VILL OF NEW BUFFALO ALSO ENTIRE 66' OF VAC HARRISON ST LYING BET LOTS 10 11 12 BLK F & LOTS 1 2 3 BLK K PER 836/466 | | | | |
| | (Note: Not to be used on legal documents) | | | | |

Date created: 8/19/2020
Last Data Uploaded: 8/19/2020 1:14:36 AM

Developed by **Schneider**
GEOSPATIAL



Overview



Legend

- Railroads
- Roads**
 - <all other values>
 - Interstate
 - Major Arterial
 - Minor Arterial
 - Roads
- Parcels
- Lakes
- Rivers
- Parcel
- Lake Michigan

| | | | | | |
|-----------------------|--|--------------|-----|---------------|-----------------------------------|
| Parcel ID | 11-62-8550-0037-01-8 | Alternate ID | n/a | Owner Address | J KM REAL EST LIMITED PARTNERSHIP |
| Sec/Twp/Rng | n/a | Class | 201 | | 514 WATER ST |
| Property Address | 509 W WATER ST | Acreage | n/a | | NEW BUFFALO MI 49117 |
| | NEW BUFFALO | | | | |
| District | 11200 | | | | |
| Brief Tax Description | LOTS 12 11 & 12 BLK F WEST ADD TO VILLAGE OF NEW NEW BUFFALO. LOTS 11 & 12 DO NOT INCL 1/2 OF VAC STREET | | | | |
| | (Note: Not to be used on legal documents) | | | | |

Date created: 8/19/2020
 Last Data Uploaded: 8/19/2020 1:14:36 AM

Developed by Schneider GEOSPATIAL



| | |
|---------------------|-----------------------|
| City Staff Use Only | Project Name _____ |
| | Project Number _____ |
| | Review Fee Paid _____ |
| | Escrow Fee Paid _____ |

APPLICATION TO: PLANNING COMMISSION ZONING BOARD OF APPEALS

224 W Buffalo St, New Buffalo, MI 49117 City Hall: 269-469-1500 Building Dept: 269-469-7144 Facsimile: 269-469-7917

Instructions: Fill-in all blanks and 'X' applicable boxes (). Incomplete applications cannot be processed.

I. Applicant and Owner Information

A) Applicant(s) principal contact:

Name PAUL OSELKA
Address PAISAY, INC

Telephone [REDACTED]

E) Property owner(s) principal contact:

Name MARK OSELKA
Address OSELKA MARINA

Telephone [REDACTED]

B) Applicant(s) secondary contact:

Name _____
Address _____

Telephone _____

F) Architect (if applicable):

Name _____
Address _____

Telephone _____

C) Agent or Attorney (if applicable):

Name _____
Address _____

Telephone _____

G) Engineer (if applicable):

Name _____
Address _____

Telephone _____

D) Is the property held in Trust*:

Yes - Answer below No - Skip below

Name of Trust _____

Address _____

Telephone _____

H) Applicant is (check one):

Property owner

Attorney

Agent

Engineer

Other: _____

REC'D

JAN 18 2023

CITY OF NEW BUFFALO

* Trusts: Provide an attached statement from the trustee verifying the names of all the beneficial owners.

II. Purpose of Application

A) This application is a request for the following action:

Rezoning of Property

Subdivision Approval

Site Plan Approval ✓

Rezoning Amendment

Variance(s) Approval

Special Use Approval

Lot Split – Subdivision or Land Division

Other: _____

B) The reasons for the requested action(s) are as follows:

PAVING PARKING LOT

C) The specific section(s) of the City Zoning Ordinance or City General Ordinances which addresses the amendment, variance, or other action which is being requested:

Site Plan Reviews 19-6 + 19-9

Parking Standards Section 15

Drainage 3-10

D) The following two questions are only for applications which contain a request for a zoning variance:

1. Are the conditions which prevent the development of the property the result of action by an individual who has or had a property interest in the subject property: Yes No

2. If the conditions were self-imposed (not hardship), explain why the variance should be granted:

III. Site and Surrounding Property Information

A) Common address or property location of subject property:

514 W. WATER ST
509

B) Legal description (attach an additional sheet if necessary):

LOTS 1, 2, 3, 10, 11 AND 12, BLOCK K; LOTS 1, 2, 3, 10, 11 AND 12, BLOCK F; AND THAT PART OF VACATED HARRISON STREET LYING BETWEEN SAID LOTS 1, 2 AND 3, SAID BLOCK K AND SAID LOTS 10, 11, AND 12, SAID BLOCK F, ALL BEING IN WEST ADDITION TO THE VILLAGE, NOW CITY, OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER E OF DEEDS, PAGE 289, BERRIEN COUNTY RECORDS

And part of

C) Permanent Real Estate Tax Identification Number:

62-8550-0037-01-8 & 62-8550-0091-02-1

D) Parcel Size:

117,687

Square feet

*dimensions used represent entire block from Willard to Berrien along Water St.

2.7

Acres

594.38

Dimension of lot frontage

198

Dimension of lot depth

E) What are the current land uses and zoning on the property and the adjoining properties:

Current zoning

Current land use

1. On Site:

WM - Waterfront Marina

PARKING LOT /

BOAT STORAGE

2. Adjoining property:

a) North of Site

WM - Waterfront Marina

Yacht Club

b) South of Site

R-1 Single Fam. Res.

Residential (across from Railroad)

c) East of Site

WM - Waterfront Marina

Residential

d) West of Site

WM - Waterfront Marina

Residential

F) Describe any existing structures or other improvements and physical attributes of the site:

PARKING LOT

Buildings - single story for warehouse/storage use and ship store

IV. Description of the Proposed Development

A) Please describe the proposed use of the land and/or building assuming approval of the request:

PARKING LOT / BOAT STORAGE

B) What is the proposed time frame for the build-out of this development: SPRING

C) For each intended use please fill-in the number of buildings, square footage of each building, the total square footage of the development, and the required number of parking spaces; as well as the number and size of the water and the sewer connections:

| Building Use | Number of Buildings | Building Area (sq ft) | Total Building (sq ft) | Required Parking Spaces | Water Connections and Sizes | Sewer Connections and Sizes |
|------------------------|---------------------|-----------------------|------------------------|-------------------------|-----------------------------|-----------------------------|
| Single Family R-1 | | | | | | |
| Two Family R-2 | | | | | | |
| Mufl-Family R-3 | | | | | | |
| Central Business CBD | | | | | | |
| Gen. Commercial GCD | | | | | | |
| Waterfront Marina WM | 5 | 51,600 | | 26 | existing | existing |
| General Industrial I-1 | | | | | | |
| TOTAL | all buildings | | are existing | | | |

D) If this application is for a development please provide information concerning the amount of traffic and the proposed road configuration it will have:

- 1) Average daily traffic count for the proposed development: _____
- 2) Peak traffic flow count for the proposed development: _____
- 3) How many lineal feet of roadway is proposed to be developed: _____
- 4) How many cul-de-sacs will be constructed as part of this project: _____
- 5) How many curb cuts to City, County or State roads are proposed: _____

E) Does the request contemplated in this application concern any hazardous materials:
 No Yes – describe the type and quantity of materials (attach extra pages if necessary):

VII. Signature and Declaratory Statement

A) Required attendance at public hearing(s) and/or meeting(s): The Planning Commission and Zoning Board of Appeals (ZBA) have established a policy requiring the applicant or a designated representative of the applicant to be present at any meeting or public hearing at which their application is to be considered. Failure of the applicant or designee of the applicant to appear may postpone consideration of the application by the Planning Commission or ZBA.

B) Declaratory Statement:

I, Mark Oselka, hereby certify that all information contained in this application and accompanying documentation is true and correct to the best of my knowledge and further, I acknowledge the required attendance of the applicant as set forth in paragraph A above. I furthermore grant permission for identified members of the City of New Buffalo's Planning Commission or Zoning Board of Appeals to visit the site(s) referenced in this application.

C) Applicant Signature: Mark Oselka Date: 8/13/2020

D) Notary Public Certification Statement:

I, Ann Marie Fidler, Notary Public in and for the State of Michigan this 13th day of August, 2020 the above captioned applicant appeared before me and under oath, stated that all matters contained in this application are true.

My commission expires: 9-24-2026 Ann Marie Fidler
NOTARY PUBLIC - STATE OF MICHIGAN
County of Berrien
My Commission Expires 9-24-2026
Acting in the County of Berrien

VIII. City Staff Review

A) Fire Department approval of Site and Building Plans, except for single family dwellings: This application and associated documentation must be reviewed by the Fire Chief or his designee, which can be arranged by calling the Fire Department: 269-469-4993.

Review Date: _____

Approval: Yes No Signature: _____

Conditions: Attached None Title: _____

B) Note to applicant: The original application must be filed in the Office of the Zoning Administrator, where the following signatures are required for verification that this is a complete and valid application to be considered by the Planning Commission or the Zoning Board of Appeals.

Building Inspector: _____ Date: _____

Zoning Administrator: _____ Date: _____

Initial meeting date: _____

EX. YACHT CLUB

6" FORCEMAIN

8" SANITARY SEWER

4" WATER MAIN

STREET (65 SPACES)
R.O.W.

SHOWROOM/
SALES

47 SPACES

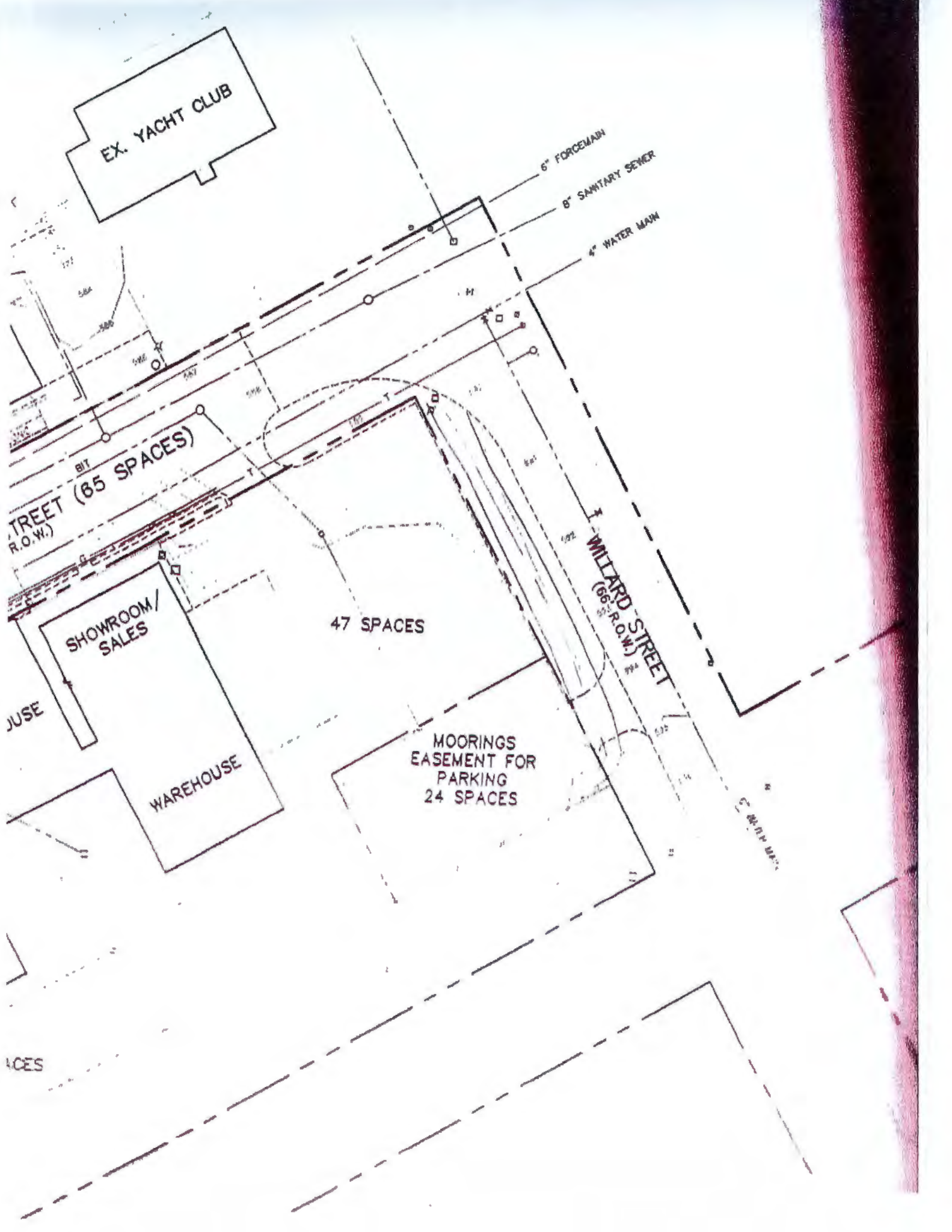
WILARD STREET
(66' R.O.W.)

USE

WAREHOUSE

MOORINGS
EASEMENT FOR
PARKING
24 SPACES

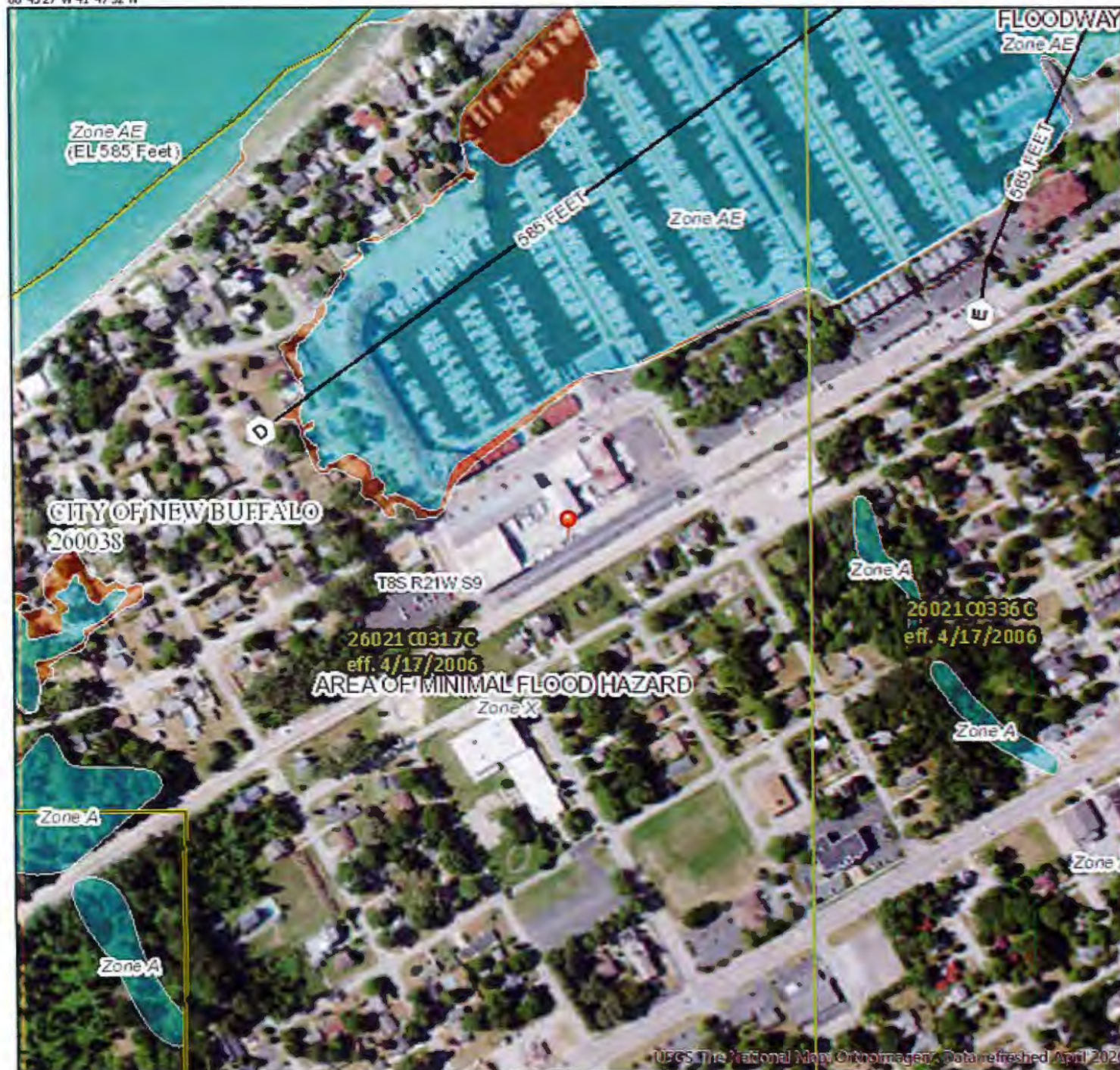
ACES



National Flood Hazard Layer FIRMeTte



86°45'27"W 41°47'52"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

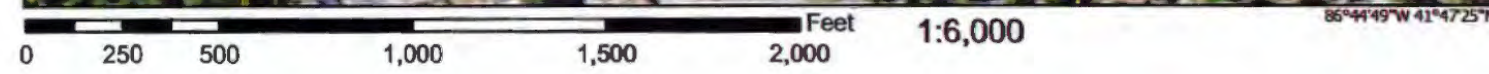
- | | |
|------------------------------------|--|
| SPECIAL FLOOD HAZARD AREAS | <ul style="list-style-type: none"> Without Base Flood Elevation (BFE) Zone A, V, A99 With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone J Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee. See Notes. Zone X Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | <ul style="list-style-type: none"> NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRs Area of Undetermined Flood Hazard Zone |
| GENERAL STRUCTURES | <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall |
| OTHER FEATURES | <ul style="list-style-type: none"> 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation 17.5 Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature |
| MAP PANELS | <ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped |
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

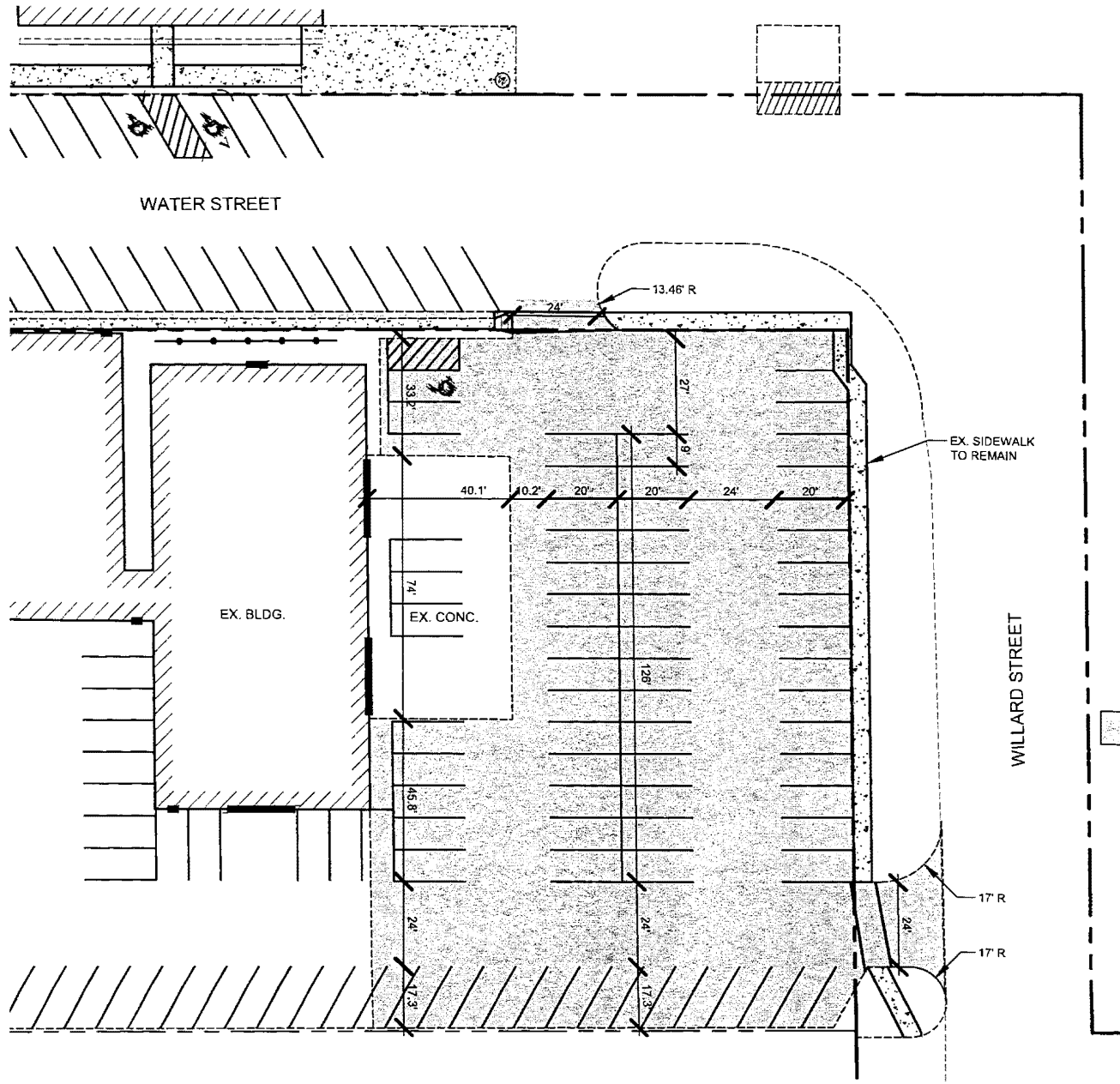
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/29/2020 at 5:55 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

USGS The National Map, Orthoimagery, Data refreshed April 2020





[Shaded Box] REPLACE PAVEMENT
 4" HMA
 10" CRUSHED CONC. AGG. BASE

70 PARKING STALLS ON PAVEMENT

*NOTE: VEHICLE PARKING IS SEASONAL. IN WINTER, THE LOT IS USED FOR BOAT STORAGE.

INFORMATION SHOWN IS BASED ON 2005 PLANS. NO CHANGE IN PAVEMENT LIMITS, DRAINAGE, OR GRADING IS PROPOSED. PURPOSE OF PROJECT IS TO REPLACE ASPHALT WITH STRONGER SECTION.



WIGHTMAN

BENTON HARRIS
 265.927.8100
 KALAMAZOO
 265.327.3535
 ALLIANCE
 265.673.8455
 ROYAL OAK
 248.761.1371
 www.wrightman.com

PROJECT NAME:
MARINA BOAT STORAGE PAVING

OSELKA MARINA
 514 W. WATER STREET
 NEW BUFFALO, MI 49117

REVISIONS

 1. 2/10/2020: 100% COMPLETE
 2. 2/10/2020: 100% COMPLETE
 3. 2/10/2020: 100% COMPLETE

PREPARED BY: [Name]
 CHECKED BY: [Name]
 DATE: FEBRUARY, 2020
 SCALE: 1" = 30'

LAYOUT PLAN

JOB No. #20081
200081-01