

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Wednesday, January 14, 2009

1. The meeting was called to order at 7:03 PM by Chairperson Nern.

2. Roll Call: Dave Burdick, Ron Dellartino, Christopher Nern, Alexa Urquhart, Karen VanPelt, Renee Waddell
Also in attendance: Ryan Kilpatrick, City Planner, Williams and Works; Larry Nix, City Planner, Williams and Works; Andrew Mulder, City Attorney, Cunningham and Dalman

3. Approval of Minutes

A. Planning Commission Regular meeting Minutes of December 10, 2008

Motion by Waddell, second by Urquhart to approve the Minutes of the December 10, 2008 Planning Commission as presented

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Kilpatrick had additional communication to add under 8.A.ii

Motion by Urquhart, second by Dellartino to approve the agenda as amended

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5. Hear from the Audience: Comments related to agenda items only

Mike Gallagher, 6417 Destin Court, Saugatuck, speaking about the Segway Court being proposed at the Antique Mall; the segway is approved as a personal transporter by the state of Michigan for indoor use.

Steve Sheridan, owner of the lot at 32 Center Street asking about the proposed parking and loading amendment for Article 10 of the Zoning Ordinance. In conversation with other owners in the downtown it is his understanding the amendment would change parking requirements and make it more difficult to start a new business. Is there really a parking problem in Douglas?

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7. Old Business

A. Consideration of an application for Indoor Commercial Recreation use in the C-2A District, located at 2948 Blue Star Highway (parcel # 59-515-003-00). Application submitted by Fun in the Sun LLC to conduct a recreational use involving Segway personal transportation vehicles on a contained indoor course in a facility adjacent to the Saugatuck Brewing Company.

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Mr. Nix began his presentation by giving a brief history of the twenty month process that included a seven member ad-hoc committee of members from the City Council and the Planning Commission to address problems and solutions in the zoning ordinance. On November 19 there was a Public Workshop to dialogue with the community about the provisions of the new ordinance. Tonight is another time for the commission to get any further input from the community.

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Tim Glinski, 284 Riverview Dr read the letter from Baty and Matteson regarding parking provisions. He then read his own memo to the commission with questions and comments on eight sections of the zoning ordinance. Both are attached.

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John Thomas, 23 Center St, spoke about watching Saugatuck develop and have no parking; the time to deal with the problem of parking is before it becomes a problem. In Saugatuck, in a short period of time they nearly doubled the number of businesses without making provisions for the people who use it. That created a problem with the residential areas. He encourages the fee in lieu of parking but the city will need to enforce it and then to use the fee to develop other parking areas; he encourages flexibility. He went on to say there needs to be a clearer definition of *retail* and that there is no definition for *change of use*. He would hate to see development as a disadvantage to those who came here early on. It is the responsibility of the commission to watch over growth and to be conscious of business costs.

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v. The Public Hearing was closed at 8:31 PM

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Chairperson Nern asked for questions, comments, and discussion among the commissioners.

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Kilpatrick said that most people don't think there is a parking problem in the city. The fee could be established today at a more reasonable level for the future. We don't want parking to take place in the residential areas. We may need to reconsider the lower fee at a later date; ultimately we need to find the fair price.

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Burdick suggested that the yearly fee could be written into the ordinance to reflect the changing value as the economy changes. In the early years, you save money.

Kilpatrick said that the specially assessed fee could not increase by more than 5% a year, but it also shouldn't increase by more than the rate of inflation. Property owners are not going to see the assessment jump but the city may see an increase in the base rate.

Waddell reminded the commissioners that we have been going through this process for 20 months; if we hold up approval of the ordinance for 1% of those we govern, we are not going to get beyond it.

Nern agreed that the commission needs to move ahead; any community that is viable has a parking problem. This is a way to try a transitional approach with an initial payment and then a yearly fee.

Dellartino asked if there were other questions that needed to be addressed.

Nix indicated that he didn't hear a lot of things that were unreasonable from the audience. The city needs to be mindful of the future; will the parking that is available that isn't public be sufficient? Addressing other issues brought up this evening: marina parking isn't going to make a lot of difference to the rest of the city; the setback requirements were explained; and the FCC regulates satellite dish requirements.

Burdick added that a wholesale club is restricted to the light industrial zone and that a Farm Market definition is different from a Farmers Market definition.

Mulder wished to clarify the conversation about project approval; in section 3.1.0, when you adopt a new zoning ordinance, in the prior approval section the city has specifics about the approval under the old zoning. The West Shore project has not been approved; this ordinance would not divest the developer from having to get approval, nor would they be grandfathered under this ordinance.

Nern added that with all of the precision that you think you are incorporating into the process there can still be problems. There are relatively few issues that we would not find a logical way to move on.

Mulder suggested that the memo from **Nix** dated January 12, 2009 dealing with the five most controversial issues offers suggestions on how to write them to fix their problems.

Motion by Waddell, second by VanPelt, to adopt the Resolution Recommending Approval of the Adoption of the New Zoning Ordinance and Amending Zoning Map of the City of the Village of Douglas dated January 14, 2009

Motion carries by roll call vote with Commissioner Urquhart voting no

9. Zoning Administrator's Report

Kilpatrick had a report regarding the Busscher property approval of December, 2008; the property is actually located in the C-2A district but is less than 25%.

Burdick asked if given what we are doing with the parking, do we need to reopen the approvals given last month.

Waddell gave an explanation of the process of finding a solution to the problem that does not deal with just one person.

Mulder said that the commission did make an approval process where the Glinski's could come back under the ordinance to grant a parking waiver in lieu of an assessment. The alternatives are that the commission stay with the actions as is, or the Glinski's ask for a variance based on the fact they could not find parking, or they could pay the existing parking waiver.

Kilpatrick continued to report on Harbor Lakes Dr, saying there are a lot of different developments that have access and ownership. The city created guidelines to determine who owns what and suggest the developments go through Allegan County to set up a Master Association for the street.

Kilpatrick reported that there was overflow from the retention pond at Meadow Argus into neighboring properties due to inadequate building practices. There will be no further building permits issued in Meadow Argus until the problem has been resolved.

10. Hear from the Audience

Mary Glinski, 284 Riverview Dr, said that they did get approval for their Thistle Gallery project based on being able to lease parking; it was not possible. They are asking for approval of the project without the parking restriction.

John Thomas, 23 Center St, said that when they occupied the two new buildings the lots cost the developer \$65,000; now the cost is triple. We need to come to grips with the cost of doing business here.

Steve Laughner, 98 Center St, said that we aren't talking about a parking problem year round here. He gave an example of an area in Indianapolis with much recreation and little parking. What makes sense, and what is practical?

Dick Waskin, 6574 Heron Ridge Road, Saugatuck, said that when you are doing the survey, you need to realize when and how the parking is being used. In regard to the ownership of Tower Marine, RJ would like to leave a legacy; there is something to be said for public ownership. We encourage people to get in their cars to go anywhere in town because there is no pedestrian access to the downtown.

Tim Glinski, 284 Riverview Dr, is concerned about the difference in the numbers being talked about regarding the parking fee.

11. Commissioner Comments

Waddell said that she doesn't believe that the governing body is trying to keep anything from anyone.

Urquhart said that she is not at all in favor of giving up parking. It hasn't been enforced in the past and that may not be fair; then we go with the fee that has been established. We would need some discussion about changing from finding spaces to waiving spaces.

Mulder said that if there is to be reconsideration of the Thistle Gallery request then it would need to be made by someone who voted in favor. That would bring it back for reconsideration and then you would proceed to what action you want to take.

Burdick wondered if besides waiving the fee, doesn't the commission have the opportunity to waive spaces?

Urquhart said that they own no parking spaces at all; their parking has been counted as commercial spaces without a fee. We have never waived residential parking starting with 8 and 10 Center St.

Mulder said that the hearing the commission had on the Thistle Gallery request was on page 68, 10.13; the variance procedure was under 7.C. One of the things that you could do tonight is to bring it back for consideration and then table it.

Burdick offered that since the commission is trying to move in a direction, let's look at the existing ordinance.

Kilpatrick said that there had been a long discussion concerning reasonable use; the use of the property had not changed but the waiver did not apply.

Motion by Urquhart, second by Burdick, to reconsider the Site Plan Review for the Thistle Gallery project

Motion carries by unanimous roll call vote

Motion by Urquhart, second by Burdick, to table the Site Plan Review for the Thistle Gallery project for further background

Motion carries by unanimous roll call vote

Waddell noted that at the City Council meeting dealing with the Harbor Lake Dr problems, it was noted that project approval only be given to projects that are good for Douglas.

Nern noted that this was a discussion of economic reality; we are trying to do what is a difficult challenge. He commends the Commission, the City Council, and the Audience for dealing with the unknown unknowns.

12. Adjournment

Motion by Waddell, second by Urquhart, to adjourn the meeting at 10:30 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail
Recording Secretary

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Waddell reminded the commissioners that we have been going through this process for 20 months; if we hold up approval of the ordinance for 1% of those we govern, we are not going to get beyond it.

Nern agreed that the commission needs to move ahead; any community that is viable has a parking problem. This is a way to try a transitional approach with an initial payment and then a yearly fee.

Dellartino asked if there were other questions that needed to be addressed.

Nix indicated that he didn't hear a lot of things that were unreasonable from the audience. The city needs to be mindful of the future; will the parking that is available that isn't public be sufficient? Addressing other issues brought up this evening: marina parking isn't going to make a lot of difference to the rest of the city; the setback requirements were explained; and the FCC regulates satellite dish requirements.

Burdick added that a wholesale club is restricted to the light industrial zone and that a Farm Market definition is different from a Farmers Market definition.

Mulder wished to clarify the conversation about project approval; in section 3.1.0, when you adopt a new zoning ordinance, in the prior approval section the city has specifics about the approval under the old zoning. The West Shore project has not been approved; this ordinance would not divest the developer from having to get approval, nor would they be grandfathered under this ordinance.

Nern added that with all of the precision that you think you are incorporating into the process there can still be problems. There are relatively few issues that we would not find a logical way to move on.

Mulder suggested that the memo from **Nix** dated January 12, 2009 dealing with the five most controversial issues offers suggestions on how to write them to fix their problems.

Motion by Waddell, second by VanPelt, to adopt the Resolution Recommending Approval of the Adoption of the New Zoning Ordinance and Amending Zoning Map of the City of the Village of Douglas dated January 14, 2009

Motion carries by roll call vote with Commissioner Urquhart voting no

9. Zoning Administrator's Report

Kilpatrick had a report regarding the Busscher property approval of December, 2008; the property is actually located in the C-2A district but is less than 25%.

Burdick asked if given what we are doing with the parking, do we need to reopen the approvals given last month.

Waddell gave an explanation of the process of finding a solution to the problem that does not deal with just one person.

Mulder said that the commission did make an approval process where the Glinski's could come back under the ordinance to grant a parking waiver in lieu of an assessment. The alternatives are that the commission stay with the actions as is, or the Glinski's ask for a variance based on the fact they could not find parking, or they could pay the existing parking waiver.

Kilpatrick continued to report on Harbor Lakes Dr, saying there are a lot of different developments that have access and ownership. The city created guidelines to determine who owns what and suggest the developments go through Allegan County to set up a Master Association for the street.

Kilpatrick reported that there was overflow from the retention pond at Meadow Argus into neighboring properties due to inadequate building practices. There will be no further building permits issued in Meadow Argus until the problem has been resolved.

10. Hear from the Audience

Mary Glinski, 284 Riverview Dr, said that they did get approval for their Thistle Gallery project based on being able to lease parking; it was not possible. They are asking for approval of the project without the parking restriction.

John Thomas, 23 Center St, said that when they occupied the two new buildings the lots cost the developer \$65,000; now the cost is triple. We need to come to grips with the cost of doing business here.

Steve Laughner, 98 Center St, said that we aren't talking about a parking problem year round here. He gave an example of an area in Indianapolis with much recreation and little parking. What makes sense, and what is practical?

Dick Waskin, 6574 Heron Ridge Road, Saugatuck, said that when you are doing the survey, you need to realize when and how the parking is being used. In regard to the ownership of Tower Marine, RJ would like to leave a legacy; there is something to be said for public ownership. We encourage people to get in their cars to go anywhere in town because there is no pedestrian access to the downtown.

Tim Glinski, 284 Riverview Dr, is concerned about the difference in the numbers being talked about regarding the parking fee.

11. Commissioner Comments

Waddell said that she doesn't believe that the governing body is trying to keep anything from anyone.

Urquhart said that she is not at all in favor of giving up parking. It hasn't been enforced in the past and that may not be fair; then we go with the fee that has been established. We would need some discussion about changing from finding spaces to waiving spaces.

Mulder said that if there is to be reconsideration of the Thistle Gallery request then it would need to be made by someone who voted in favor. That would bring it back for reconsideration and then you would proceed to what action you want to take.

Burdick wondered if besides waiving the fee, doesn't the commission have the opportunity to waive spaces?

Urquhart said that they own no parking spaces at all; their parking has been counted as commercial spaces without a fee. We have never waived residential parking starting with 8 and 10 Center St.

Mulder said that the hearing the commission had on the Thistle Gallery request was on page 68, 10.13; the variance procedure was under 7.C. One of the things that you could do tonight is to bring it back for consideration and then table it.

Burdick offered that since the commission is trying to move in a direction, let's look at the existing ordinance.

Kilpatrick said that there had been a long discussion concerning reasonable use; the use of the property had not changed but the waiver did not apply.

Motion by Urquhart, second by Burdick, to reconsider the Site Plan Review for the Thistle Gallery project

Motion carries by unanimous roll call vote

Motion by Urquhart, second by Burdick, to table the Site Plan Review for the Thistle Gallery project for further background

Motion carries by unanimous roll call vote

Waddell noted that at the City Council meeting dealing with the Harbor Lake Dr problems, it was noted that project approval only be given to projects that are good for Douglas.

Nern noted that this was a discussion of economic reality; we are trying to do what is a difficult challenge. He commends the Commission, the City Council, and the Audience for dealing with the unknown unknowns.

12. Adjournment

Motion by Waddell, second by Urquhart, to adjourn the meeting at 10:30 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail
Recording Secretary

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Wednesday, February 11, 2009

1. The meeting was **called to order** at **7:06 PM** by **Chairperson Nern**.
2. **Roll Call:** Dave Burdick, Ron Dellartino, Christopher Nern, Alexa Urquhart, Karen VanPelt
Absent: Renee Waddell
Also in attendance: Ryan Kilpatrick, City Planning Consultant, Williams and Works;
Scott Dienes, City Attorney, Thrun Law Firm

3. Approval of Minutes

- A. Planning Commission Regular Meeting Minutes of January 14, 2009

Motion by Urquhart, second by Dellartino, to approve the Minutes of the January 14, 2009 Planning Commission Meeting as presented

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Kilpatrick added 7.B. Letter RE: Douglas Elementary School Addition.

Motion by Urquhart, second by VanPelt, to approve the agenda as amended

Motion carries by unanimous roll call vote

5. Hear from the Audience

There were no comments

6. Written communication

- A. Notice of Public Hearing, published by the Michigan Department of Environmental Quality, regarding the proposed boardwalk on the *Swingbridge* property.

Urquhart asked the Chair if the commissioners were free to speak at the hearing. **Nern** deferred to counsel. **Dienes** responded that he was not completely familiar with all aspects of the case and would advise seeking advice from the former City Attorney. **Nern** said that off the top of his head he thinks the commissioners would likely be better off not speaking but asked Kilpatrick to check with City Manager Kowal. **Dienes** is

meeting with the attorney on this case tomorrow and will seek his opinion. **Burdick** noted that he had seen that the lake levels are ten inches above last year's levels but 45 inches below the record from 1987.

7. New Business

A. Re-Consideration of an application for Site Plan Review for expansion of an existing building in the C-2A Special Commercial District (parcel 59-020-004-00).

Agenda Materials for Item #7A Include:

1. Revised staff memo, dated February 3, 2009
 - Also refer to drawings distributed with the December 10, 2008 agenda and related to this application

Kilpatrick reviewed information regarding the site plan application that the commissioners had approved in December with the stipulation that the zoning classification be verified by the Zoning Administrator. Upon closer review it was determined that the back half of the property is zoned differently than the front and that the last adopted zoning map lacked information to verify the precise boundaries of each district. It was determined that the portion of the site upon which the additions are proposed is within the C-2A zoning district. It has been established that the current and proposed future use of the site would fall within the requirements of Section 11.02.7 of the zoning ordinance, which provides for contractor's facilities wherein no more than twenty-five (25) percent of the floor area shall be used for making, assembling, remodeling, repairing, or finishing products or merchandise. Mr. Busscher has expressed that a majority of the structures are used for showroom space, storage, and offices.

Motion by Urquhart, second by Dellartino, to approve the Site Plan review submitted by Kim Busscher for the expansion of existing storage and office space in the C-2A (Special Commercial) District, property # 03-59-020-004-00, commonly known as 2922 Blue Star Highway

Motion carries by unanimous roll call vote

B. Letter from Robert A. Dietzel, Thrun Law Firm, P.C. RE: Douglas Elementary School Addition

Kilpatrick reported that the addition is a proposed mechanical room attached to the Elementary School. It will be a 950 square foot addition. He has not had an opportunity to consult with Attorney Dienes concerning this project.

Urquhart questioned if the addition was attached to the classrooms. **Kilpatrick** responded that it appeared to be within the setback requirements. The issue is that the addition is a special land use.

8. Zoning Administrator's Report

A. Withdrawal of request for Thistle Lofts

Kilpatrick said that in conversation with the Glinskis it was determined that given the time constraints it would be better to wait for the zoning requirements to change.

Tim Glinski, 284 Riverside Dr, said that after being here for three successive meetings we didn't want you to feel that we were upset. Secondly, we aren't withdrawing the approval that we received; we are just waiting for the zoning requirements to change before we take further action. **Urquhart** reminded him that the approval is only good for one year to begin construction. **Glinski** said that parking was the only area of contention and he appreciates having more people involved in the conversation. He feels that it would be important to have the DDA involved, it is a DDA matter. **Nern** thanked Glinski for bringing the parking issue to the attention of the Planning Commission.

B. BS&A Software updates

Kilpatrick reported on the BS&A software being purchased for the department saying that the software is designed for building permits but can also be used for zoning permits. The office can enter in approvals and enforcement actions and that stays with a particular property. We will have a much better idea of enforcement actions; it will be easy to run back through issues for a particular report. In addition to our being able to keep files updated in the office, the software company provides an on-line data base where we can save the big PDF files on-line without having to use our file space locally.

C. Future Planning Activities

Kilpatrick began by saying that the commission would begin looking at the items placed on the "bucket list" incrementally, to prioritize. **Urquhart** mentioned that the commissioners were looking at revision of the Master Plan. **Kilpatrick** said that the state requires that the Master Plan be revised every five years in accordance with what is happening in the community, with a clear record of the review being done. He does not feel that there is adequate language in the Tri-Community Plan to address the Douglas waterfront and open-areas issues. **Urquhart** said that she didn't feel that the issues on the bucket list were that substantial. **Kilpatrick** suggested maintaining the Tri-Community Plan while upgrading area specific plans.

Burdick said that this would be an excellent opportunity for him to segue into reporting on the Tri-Community Planning Board meeting just last evening. A lot of what that board was discussing is what we are looking at here tonight. As part of that board, we'd like the three communities to look at what each community would look for in integration into an update of the current plan. We are looking at taking baby-steps as the three communities work together to coordinate regulations. The first would likely be seasonal rentals; it comes down to concerns over fire safety and parking. The way our current ordinance is written does not address this area. Possibly we would want to look at different parking requirements if a residence is over a certain size. He is not sure that there is a short-term fix that can be consistent throughout the three communities.

Urquhart said that there needs to be parking for the number of people staying there.

Burdick said that the concerns are different for each of the three communities. Assistant Fire Chief Janek has made a commitment to inspect every rental property if the ordinance changes. **Urquhart** said that in Fennville, it is required to have rental properties inspected and registered.

Burdick continued to say that all three communities of the board are open to cooperation in unified development of the Blue Star Highway.

Burdick said that this is a good time to consider open-space initiatives since there is little pressure to develop lands currently. It would be good to preserve some of our open spaces in a planned way. One conversation is to have an Open Space Commission with the possibility of getting a millage passed for the purpose of preserving open space. One of the best ways to assure property values remain strong throughout the three communities is by attracting full-time residents by preserving and extending what we love about the three communities. Which then leads us to the harbor issues; RJ Peterson does seem genuinely concerned about the legacy he will leave, this could be a rare opportunity.

9. Hear from the Audience

There were no comments.

10. Commissioner Comments

Urquhart began by saying that she wants the commission to move forward on the key issues.

Nern welcomed new city Attorney Scott Dienes.

Dellartino wondered about the progress of the parking inventories for downtown. Kilpatrick said that he is about half way through.

VanPelt said that she has been thinking about development and its impact on parking at the Douglas Beach.

Burdick asked if the City Council had taken any action on the proposed Zoning Ordinance. Kilpatrick said that it should go to the Council at the beginning of the month.

Nern quipped that there is lots to do; failure cannot cope with persistence.

11. Adjournment

*Motion by Urquhart, second by VanPelt, to adjourn the meeting at 7:55 PM
Motion carries by unanimous voice vote*

Respectfully submitted,

Alan McPhail

THE CITY OF THE VILLAGE OF DOUGLAS
SPECIAL MEETING OF PLANNING COMMISSION
DOUGLAS CITY HALL
86 W. CENTER STREET, DOUGLAS, MI
Wednesday, March 25, 2009 – 7:00 PM
APPROVED MINUTES

1. Call to Order/Roll Call: Chair Nern called the meeting to order at 7:00 PM. Members present- Delartino, Van Pelt, Waddell, Burdick, Nern. Members absent/excused – Urquhart. Also present- Ryan Kilpatrick, Assistant Zoning Administrator.
2. Agenda Changes/Deletions: Motion by Delartino, with support from Waddell, to accept the Planning Commission Special Meeting Agenda for March 25, 2009 as presented. Motion carried unanimously.
3. Hear from Audience: None
4. Written Communication: None
5. New Business:
 - A. Presentation of addition to exterior storage and balcony area: Wild Dog Grille Agenda Items for 6A include:
 - a. Floor Plan and Street Elevations, Hibler Design Studio, dated March 3, 2009
 - b. Staff memorandum and recommendation, dated March 19, 2009

An application requesting a site plan review for a proposed addition to an existing outdoor storage area and second story balcony to the building currently occupied by Wild Dog Grille/24 Center St. (pp# 59-100-015-00). Staff recommendation: The application for site plan review is largely in compliance with the standards set forth in Article 24 (Site Plan Review) and Article 10 (Village Center Commercial District) The proposed addition would meet the standards for site development and all other applicable standards set forth within the C-1A District. The proposed application is recommended for approval with the following conditions: (1) Any approvals upon the future installation of comply with all applicable standards of the zoning ordinance; (2) The applicant preserve and maintain the existing six (6) parking spaces which are currently present in the rear yard.

Jeff Vickers/Wild Dog Grille presented Planning Commission with the overall design concept; which was meant to be pleasing and accepting.

Planning Questions/Comments: Was a notice sent to the adjoining property owner, is there to be a three season room (deck)at the top, will the old tree in the side be taken down, does staff foresee any real problems with the request. Vickers stated the adjoining property owner was contacted by the applicant and had no opposition to the proposal, the room at the top is actually a hidden fire well, the old tree will be trimmed but will remain, and staff would only be concerned with side setback. (Meeting 5' setback or bringing to the lot line).

Motion by Delartino, with support from Van Pelt, to approve the request submitted by Sam Kendall/Wild Dog Grille (pp# 59-100-015-00) contingent upon future installation of lighting being in compliance with all applicable standards of the zoning ordinance and the applicant preserving and maintaining the existing six (6) parking spaces which are currently present in the rear yard. Motion carried unanimously by roll call vote.

6. Hear from Audience: None
7. Commissioner Comments: Van Pelt questioned the status of the Zoning Ordinance. Waddell reported that an April 9, 2009 meeting will take place regarding the ordinance, while Kilpatrick stated the ordinance is intact as was submitted by Planning Commission but parking has been

reworked with stricter guidelines. Van Pelt questioned rental ordinances and Nern reported that at the next meeting a commission group photo will be taken for the new city website (www.ci.douglas.mi.us).

8. Adjourn: Motion by Waddell, with support from Dellartino, to adjourn the meeting. Motion carried unanimously.
Meeting adjourned at 7:20 PM.

Submitted by Pam Aalderink, Recording Secretary

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Wednesday, April 8, 2009

1. The meeting was called to order at 7:07 PM by Chairperson Nern.

2. Roll Call: Ron Dellartino, Christopher Nern, Alexa Urquhart, Karen Van Pelt, Renee Waddell

Absent: Dave Burdick

Also in attendance: Ryan Kilpatrick, Zoning Administrator

3. Approval of Minutes

A. Planning Commission Regular Meeting Minutes of February 11, 2009.
Urquhart added the phrases: “by Michigan Township Services” and “with the city” to her sentence on page 4, line 4.

Motion by Urquhart, second by Dellartino to approve the Minutes of the February 11, 2009 Planning Commission as amended

Motion carries by unanimous roll call vote

B. Planning Commission Special Meeting Minutes of March 25, 2009
Following a question, Nern clarified the word on page 1, line 48 to be “intact”

Motion by Urquhart, second by Waddell, to approve the Minutes of the March 25, 2009 Special Planning Commission as amended

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Nern noted the typo of the date of the February Planning Commission, change to 11

Motion by Waddell, second by Dellartino, to approve the agenda for the April 8, 2009 Meeting as corrected

Motion carries by unanimous roll call vote

5. Hear from the Audience

There were no comments from the audience.

6. Written Communication

- A. There was none received.

7. New Business

A. Application for Change of Use: Library Annex Building

Agenda Items for 7A Include:

1. Application for change of use submitted by Martha Boetcher
2. Property survey dated December 22, 1997

Steve Oakley, Library Board, spoke on behalf of the Library to say that they were advised by Assistant Fire Chief Greg Janik that since the use of the building had changed when the library purchased it, the classification needed to be changed as well. The requested reclassification is from “mercantile” to “assembly.” **Kilpatrick** spoke to the change by saying that the Library is not a defined use within the Zoning Ordinance but may be considered to be similar to a “Personal Service Establishment.” **Urquhart** noted that the ordinance does allow permanent use by right. **Kilpatrick** said that with the use of the building for meeting space the Commission may need to classify this request as a Special Land Use. There is a Workshop Meeting of the City council tomorrow regarding the adoption of the new Zoning Ordinance. The first reading could be in April and the second reading in May. Adoption could happen the first meeting in June but state statute requires a 20 day waiting period before the adoption can actually take effect. We can schedule a Special Land Use Public Hearing. **Nern** asked about the special use by the library that makes the special meeting required. **Kilpatrick** responded that the building being used as a public facility is another use that is undefined in the ordinance; brings a bit of a gray area in the ordinance. **Urquhart** said that this wouldn’t require an additional meeting. **Kilpatrick** continued that the reason this change came up was a fire inspection by Deputy Chief Janik. The motion should be to schedule a Special Land Use Hearing.

Motion by Urquhart, second by Waddell, to place a Special Land Use Hearing for the Library Annex Building, Parcel # 59-502-003-00, on the agenda of the next regularly scheduled meeting of the Planning Commission on May 13, 2009

Motion carries by unanimous roll call vote

B. Application for Change of Use: 176 Blue Star Highway

Agenda Items for Item 7B Include:

1. Application for change of use submitted by Andrew Milaukas
2. Narrative description of change of use

3. Property survey, undated
4. Staff report dated April 1, 2009

Andrew Milaukas, 2885 Lakeshore Dr, presented his plan to use the property to sell locally grown produce. He understands the need to get a temporary outdoor display permit to have items outdoors. **Nern** asked about permits from the Michigan Department of Agriculture. **Milaukas** responded that the applications have been sent. **Urquhart** wished to clarify the actual sales portion of the property.

Kilpatrick noted that the application is for retail use of the space; historically the space has been used for retail. Andrew is aware of the requirements of the ordinance concerning outdoor display. The issue on-site is that the parking area is only gravel, but that is a legal non-conforming use as long as the building is not expanded. **Urquhart** said that other uses for the site had more than one car at a time; it isn't an ideal situation but it should work. **VanPelt** was curious about the time and vendor participation. **Milaukas** responded that he would be the proprietor and that he hadn't received firm confirmation of growers yet.

Motion by Urquhart, second by Waddell, to approve the Application for Change of Use for 176 Blue Star Highway, Parcel # 59-016-016-00, as presented

Motion carries by unanimous roll call vote

C. Prioritization of 2009 Planning Activities

Kilpatrick began the discussion with the commissioners by saying that now presents an opportunity to take a look at planning for the future because of the lack of major projects. He is convinced that one of the first steps to be taken by the Planning Commission would be to have greater policy provisions guided by a larger vision for the Douglas Community. Because we are at the tail-end of the adoption of the new Zoning Ordinance, he sees the inclusion of conducting a few citizen workshops to look at issues more specific to Douglas than the Tri-Community Plan does.

Nern said that it is no secret that our harbor is a serious matter that we need to address. He likes the idea of prioritization; it is a function of the commission that the citizens want. We need to find a vehicle to do this.

Urquhart said that she doesn't know what the timeline would be for a policy makeover but it is important to look at the problem of seasonal rentals soon.

Kilpatrick continued to say that it is important that it isn't a group of seven making decisions but a group of seven collecting the thoughts of the community and making decisions based on that input.

In regard to seasonal rentals, **Nern** said that we could use Saugatuck as a model.

Waddell suggested having a guest from Saugatuck speak and also someone from another community that does not have an ordinance so that we can hear both sides of the issue. I agree that we need regulation but I don't want to see us put in a policy that we can't enforce, either.

Nern continued to say that it would be good if the rules were consistent among the communities and possibly utilize one person to enforce the regulations throughout the area.

Joe Milaukas, Saugatuck Township Planning Commissioner was asked for input. He suggested that at least 95% of the ordinance/rules should be consistent between the three communities.

Kilpatrick said that in Saugatuck the requirements put in place are only a requirement to register and to have the dwelling inspected on a bi-annual basis by the Fire Department.

Urquhart said that it is important to have more than just a fire inspection. The reason she clarified her statement in the Minutes is that the Michigan Township Services Inspection done in Fennville for rentals is more thorough than the fire inspection alone would be.

Waddell said that the commission's role is for safety not to make everything equal.

Urquhart continued to give examples of deficiencies in rental properties that would have been noted by Michigan Township Services.

Nern added that from a community marketing standpoint to be able to say when you rent something that there is a consistency here that meets a certain level of quality.

Kilpatrick said that the difficulty will be to identify the homes that are being rented and for what duration. For a while we may need to work on the honor system.

Nern added that Michigan Township Services can probably give us some assistance.

Back to the whole harbor issue, it is important for others to see how this is implemented.

Waddell said that another important issue is the one of walk able communities, of safe routes from place to place. It is important that we bridge the gaps that have developed for safety purposes, not just for decorative reasons.

Urquhart reminded that another issue brought up by the community is lot sizes.

Kilpatrick questioned what the city would be looking to achieve by changing lot sizes.

Nern responded that density is a hot item, discussion would be important.

Nern asked Kilpatrick to vision a proposal for the planning Commission. **Kilpatrick** responded positively: to draft a proposal to update the Master Plan for Douglas with some options for workshops. He suggested that the commission look at ways to start the conversation in venues other than meetings to spark conversation from other people.

Nern continued that it would be good to send the message that the commission is trying to be pro-active rather than re-active. His hope is that the commission adopt at the the next meeting our plan and our calendar.

Waddell asked if the Commission could then workshop this conversation with the Council.

8. Zoning Administrator's Report

A. Parking Inventory and ZO distribution to Council

Kilpatrick began the discussion with the commissioners by focusing attention on the Parking Inventory that he produced by pulling site-plans and estimating the required and provided parking in the downtown area. He said that the information would also be going to the Council for their meeting tomorrow evening as part of the alternative

language for parking in the zoning ordinance. If the city is to continue to provide for growth in the downtown we need to look seriously at the parking restrictions. The current language is based largely upon suburban parking requirements where the maximum is based on the 20th busiest hour with standards generated by ITT. It represents the one percent of the time that you will need that number of spaces. Permitting use-by-right reduces parking requirements by half for everyone. The language does provide for waivers given three standards for review.

Sam Pental, 24 Center Street, was asked to comment and he mentioned that more parking would take place on the streets connecting to Center Street if there were curbs to make parking more apparent.

Urquhart said that the parking waivers that were given previously were all commercial, none were for residential parking.

Kilpatrick noted that Center Street is already designated as no-parking overnight. We do want to promote residential use in the downtown where feasible.

9. Hear from the Audience

There were no comments.

10. Commissioner Comments

Dellartino mentioned that Michigan Township Services is giving Tony (Christo's Roadhouse) a hard time because of the size of the building. **Kilpatrick** said that the city looks at the maximum determined by the fire department. Fire Code analysis and Building Code analysis are not necessarily the same.

Urquhart said that she would like to see listed in the parking waiver that the residential parking requirement not be waived.

Waddell welcomed Kilpatrick as the new Zoning Administrator.

Nern added that he likes seeing the visioning process that Kilpatrick uses.

11. Adjournment

Motion by Dellartino, second by Urquhart, to adjourn the meeting at 8:45 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail
Recording Secretary

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Wednesday, May 13, 2009

1. The meeting was **called to order** at **7:05 PM** by **Chairperson Nern**.

2. Roll Call: Dave Burdick, Paul Marineau, Christopher Nern, Alexa Urquhart, Karen VanPelt, Renee Waddell

Also in attendance: Ryan Kilpatrick, Community/Economic Development Director

Absent: Ron Dellartino

3. Approval of Minutes

A. Planning Commission Regular Meeting Minutes of April 8, 2009
Urquhart changed the word “right” to “special use” on page 2, line 7 of the main paragraph.

Motion by Urquhart, second by Waddell, to approve the Minutes of the April 8, 2009 Planning Commission as amended

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Motion by Urquhart, second by Waddell, to approve the agenda for the May 13, 2009 Planning Commission as presented

Motion carries by unanimous roll call vote

5. Hear from the Audience

There were no comments.

6. Written Communication

There was none received.

7. Public Hearing: Consideration of an application for Special Use permit submitted by the Saugatuck-Douglas District Library for the property located at 147 Center Street (parcel # 59-502-003-00). The applicant has proposed to use an existing building for library purposes, including a reading room, a meeting room, and additional storage areas. Such use is considered to be a special land use, classified as a public facility, in the C-1A District.

Chairperson **Nern** opened the Public Hearing at 7:10 PM.

Kilpatrick began the discussion by saying that the application had come through the Commission last month but since it was considered a special land use there was a need to publish the public hearing. The memo summarizes the requirements and standards necessary and investigation finds no reason for the application to be denied.

Steve Oakley, Trustee of the Library Board, spoke briefly that there was no modification proposed for the building. **Van Pelt** asked if there was an increase in traffic anticipated.

Oakley responded that there was no change in the use of the building; they were only getting the proper zoning requirements in order.

Nern closed the Public Hearing at 7:18 PM.

8. New Business

- A. Motion to approve, approve with conditions, deny, or table the request for Special Land Use permit at 147 Center Street.

Agenda Items for 8A Include:

1. Application for change of use submitted by Martha Boetcher
2. Property survey dated December 22, 1997
3. Staff report dated May 8, 2009

Motion by Urquhart, second by Waddell, to approve the request for Special Land Use permit at 147 Center Street (parcel number 59-502-003-00) as presented

Motion carries by unanimous roll call vote

- B. Discussion of Accessory Dwelling Units in the R-5 Zoning District. No formal action required.

Agenda Items for 8B Include:

1. Staff report dated May 8, 2009, includes series of related documents
2. Preliminary Site Plan submitted by John Verwys, for the property located at 101 Ferry Street (parcel # 59-016-058-00).

Kilpatrick introduced the topic of Accessory Dwelling Units by saying that this type of housing seems appropriate for the R-5 district instead of going to multi-family housing. He went on to say that this would add to the load of seasonal rentals; the city does not currently have an ordinance to regulate seasonal rentals. The **Commissioners** joined into the discussion citing density issues (pro and con), seasonal rental concerns, economic ramifications, and the desire to keep Douglas the unique community that it is.

John Verwys, 101 Ferry Street spoke about the restrictions of the zoning for him given the make-up of his neighborhood as it has developed.

Kilpatrick asked if the Commissioners wished for him to develop language regarding Accessory Dwelling Units for their consideration at the June, 2009 meeting. It was determined that it would be a good next step.

The Planning Commission took a short break at 8:05 PM
Return at 8:11 PM

C. Staff Report RE: Master Plan Revisions/Updates

Kilpatrick began by referencing his memo to the City Council dated May 8, 2009 saying that Douglas has not had an update of its Master Plan since 1989. Currently, the Tri-Community Comprehensive Plan drives many of the decisions made by the three communities; it was well done and serves a positive purpose. However, Douglas needs its own proactive policies and ordinances in order to preserve Douglas' goals and objectives. The **Commissioners** voiced support for a revamping of the Douglas Master Plan; including community input and bridging the Tri-Community Plan rewrite.

9. Community/Economic Development Director's Report

Kilpatrick mentioned that there had been some ordinance violations of over-grown landscape due to the wet conditions in the Spring.

10. Hear from the Audience

There were no comments.

11. Commissioner Comments

Marineau said that it was a breath of fresh air listening to Kilpatrick's ideas.

Burdick asked if there was any action taken after the parking discussions last month. Kilpatrick responded that in the zoning materials going before the City Council the final draft by the Planning Commission will be included.

Urquhart said that she feels there will be a problem with there being no overnight parking on Center St. Kilpatrick said that the city will need to advise the owners of property to be sure to pass along that information to tenants. Urquhart also is glad to see the city working on the Master Plan.

12. Adjournment

*Motion by Urquhart, second by Waddell, to adjourn the meeting at 8:35 PM
Motion carries by unanimous voice vote*

Respectfully submitted,

Alan McPhail. Recording Secretary

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Wednesday, June 10, 2009

1. The meeting was **called to order** at **7:04 PM** by **Chairperson Nern**.
2. **Roll Call:** Dave Burdick at 7:06, Ron Dellartino, Paul Marineau at 7:07, Christopher Nern, Alexa Urquhart, Karen VanPelt, Renee Waddell
Also in Attendance: Ryan Kilpatrick, Community/Economic Development Director

3. Approval of Minutes

- A. Planning Commission Regular meeting Minutes of May 13, 2009

Motion by Waddell, second by Urquhart, to approve the Minutes of the Regular Meeting of the Planning Commission of May 13, 2009 as written

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Motion by Dellartino, second by Urquhart, to approve the agenda as presented

Motion carries by unanimous roll call vote

5. Hear from the Audience

There was no audience participation.

6. Written Communication

There was no correspondence received.

7. New Business

- A. Preliminary application for Special Use Permit. Educare Day Care Center has submitted an application to operate a Day Care Center within the existing St. Peter's Catholic Church, located at 100 St. Peter's Drive, and within the R-4 Harbor Residential District. Request to schedule a public hearing for the regular meeting in July.

Agenda Items for 7A Include:

1. Application for Special Use Permit

2. Staff Report dated June 5, 2009

Kilpatrick introduced the discussion by indicating that he saw this as a relatively simple request. Since there is not to be any additional construction the site plan to be submitted will be the site plan submitted in 1995.

Cindy Klomparens, 3360 60th Street, Hamilton, owner of Educare explained that they had lost their lease with the School District. She had planned to just sell everything but had gotten a call from St. Peter's with the offer to use two of their classrooms for the program. There will not be a playground per-se but she is licensed to use outdoor toys and there is a grassy area where these toys can be utilized. The program is not as large as it once was due to parents losing jobs but there is a sense of need in the community. She is hoping to expand her license to include 2 ½ to twelve year-olds for before and after school programs and to offer care during snow days and school breaks. The hours of operation are daily from 6:00 am until 6:00 pm.

Motion by Urquhart, second by VanPelt, to schedule a Public Hearing for a Special Use Permit for the Educare Day Care Center to be housed at the St. Peter's School, 100 St. Peter's Dr within the R-4 Harbor Residential District for the July 8, 2009 Planning Commission Meeting

Motion carries by unanimous roll call vote

8. Old Business

A. Planning Commission review of Master Plan. Discussion of relevant goals and objectives.

Kilpatrick began the discussion by saying that he would like to address the goals in Chapter One of the Village of Douglas Comprehensive Plan. Are the goals that currently exist reflective of the community values now? How will the commission work the process? **Waddell** said that she would prefer that Kilpatrick bring in information as we work through the document to streamline the process; we don't want to repeat the ordinance rewrite. **Urquhart** said that several parts of the "bucket list" need community response for the big changes before the end of the process. Would that be a part of the goals portion?

Kilpatrick said that he would like to get the citizens in on the conversation by having a booth at the Socials so that people can ask their questions and tell their stories. That information could help us inform future workshops.

VILLAGE CHARACTER

Marineau asked how this would square-up with the Tri-Community Comprehensive Plan. **Kilpatrick** noted that if language is incorporated specific to Douglas that will be needed to be communicated to the other communities. Commissioners spoke about the traditional land use of the village including small homes and small lots, breathing room with contiguous lots owned by one owner, and many trees. **Kilpatrick** said that it is

important that the commission define areas of importance and to develop sub-area plans for the open areas so that development adds to the character.

GROWTH MANAGEMENT

The current language speaks to guiding development in a manner which is orderly. The commissioners discussed the experience of “orderly” to different people and how the definition can change.

LAND USE AND COMMUNITY

Kilpatrick said that this area ties in well with the Growth Management section.

ECONOMIC DEVELOPMENT

The commissioners voiced a need to attract people by attracting viable occupations and a larger view of a diverse economy beyond what is currently available.

Discussion continued regarding conversations with the citizens through interaction at the Douglas Socials this summer. It was further discussed to include an ability to respond through the Village web site. **Kilpatrick** will work on language in the policy goals and bring back the material for review. Would the commissioners entertain the idea of an extra workshop meeting? It was decided to have a meeting at 7:00 PM on Wednesday, June 24, 2009.

9. Community/Economic/Development Director’s Report

A. Summary report of DDA Visioning Workshop held on May 28, 2009
Kilpatrick reported that the process with the DDA is very similar to what the Planning Commission is doing with the Comprehensive Plan. Their discussions center on the understanding that the downtown has changed since their plan was originally written. They will be meeting again on June 25, 2009; it would be nice if there could be some coordination between the two groups. **Nern** added that for a Planning purposes coordination should be happening between the waterfront and tri-community group as well.

10. Hear from the Audience

There was no audience participation.

11. Commissioner Comments

Urquhart said that she expected to see language regarding accessory building units. She also said that she is glad to see that we are looking at goals before getting to specifics.

Waddell said that she is glad to see that we are being proactive rather than reactive and thanked **Kilpatrick** for his leadership.

12. Adjournment

Motion by Dellartino, second by Urquhart, to adjourn the meeting at 9:00 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail
Recording Secretary

Approved By: _____

Ryan Kilpatrick, Community/Economic
Development Director

**APPROVED MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
SPECIAL MEETING OF THE PLANNING COMMISSION
DOUGLAS CITY HALL
Wednesday, June 24, 2009**

1. The meeting was **called to order** at **7:03 PM** by **Chairperson Nern**.
2. **Roll Call:** Dave Burdick, Ron Dellartino, Paul Marineau, Christopher Nern, Karen VanPelt, Renee Waddell
Also in attendance: Ryan Kilpatrick, Community/Economic Development Director
Alexa Urquhart entered at 7:58 PM
3. **Agenda Changes/Additions/Deletions**

Motion by Dellartino, second by Burdick, to approve the agenda for the Special meeting of the Planning Commission as presented

Motion carries with a unanimous roll call vote

4. **Hear from the Audience**

No one was present in the audience

5. **Written communication**

There was no written communication received

6. **Old Business**

- A. **Master Plan Review: Draft Goals and Objectives**

Kilpatrick distributed copies of the Tri-Community Survey: 2004 and indicated that the information could be relied upon as still relevant given its recent publication. He then said that he would like the Commissioners to evaluate the large properties still available for development in the city; land-use designation in the Master Plan would inform what the commission would like to see in those areas in a proactive way instead of a reactive way. A well-crafted sub-area plan would include guiding language regarding open space, building mass, street lay-out; almost a development plan. Kilpatrick responded to questions by saying that the Michigan Zoning Enabling Act and the Michigan Planning Enabling Act give provisions to follow that allow for some flexibility. There is a need to be able to refer to something for guidance.

Conversation among the Commissioners included recreation areas, the importance of the harbor and water, and which potential properties are most likely to be viable for a sub-area plan. Additional conversation centered on the importance of “green” to the city:

trees, lawn. There was dialogue regarding the manner in which the process could unfold; working on smaller properties first, finding a shared vision and common goal, thinking about properties that the commission hasn't had to deal with yet, what options could be economically viable.

It was suggested that the "bucket list" from the ordinance rewrite needs to stay at the front of the commission; that a quick read through and clean-up would be important. The commissioners would be talking with other citizens during the Douglas Socials while Kilpatrick is working on amending language.

7. Hear from the Audience

There was still no one in attendance.

8. Commissioner Comments

Urquhart asked if items on the "bucket list" will be incorporated into the vagueness of the plan. **Kilpatrick** said that the commission will need to have input from the citizens on those issues.

9. Adjournment

Motion by Urquhart, second by Burdick, to adjourn the meeting at 8:45 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail
Recording Secretary

Approved By: _____

Ryan Kilpatrick,
Community/Economic Development Director

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Wednesday, July 8, 2009

1. The meeting was called to order at 7:01 PM by Chairperson Nern.

2. Roll Call: Ron Dellartino, Paul Marineau, Christopher Nern, Alexa Urquhart, Karen VanPelt, Renee Waddell

Also in attendance: Ryan Kilpatrick, Community/Economic Development Director

Absent: Dave Burdick

3. Approval of Minutes

A. Planning Commission Regular Meeting Minutes of June 10, 2009

Motion by Waddell, second by Urquhart, to approve the Minutes of the Regular Meeting of the Planning Commission of June 10, 2009 as submitted

Motion carries by unanimous roll call vote

B. Planning Commission Special Meeting Minutes of June 24, 2009

Motion by Waddell, second by Urquhart, to approve the Minutes of the Special Meeting of the Planning Commission of June 24, 2009 as presented

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Kilpatrick distributed communication to be included as part of Item 10/Accessory Buildings

Motion by Waddell, second by Urquhart, to approve the Agenda for the July 8, 2009 Meeting of the Planning Commission as amended

Motion carries by unanimous roll call vote

5. Hear from the Audience

No one from the audience stepped forward

6. Written Communication

Letter added to Item 10

7. Public Hearing

A. Application for Special Use Permit, submitted by the People's Store of Douglas, for the property located at 34 Center Street (parcel # 59-560-007-00). The applicant has proposed to use an existing structure for the purpose of a ground floor residence. This is considered to be a special land use within the C-1 (Village Center) District.

i. The Public Hearing as declared open at 7:08 PM

ii. Public Comments:

Mary Glinski, 284 Riverview Dr, spoke in favor of making the property a residential unit as the space has failed on many occasions as a retail business location.

iii. The Public Hearing was closed at 7:09 PM

B. Application for Special Use Permit, submitted by Cindy Klomparens, for the property located at 100 St. Peter's Dr. (parcel # 59-016-036-00). The applicant has proposed to use two classrooms within an existing facility at St Peter's Church for the purpose of a Child-Care Center. The use is considered to be a special land use within the R-4 (Harbor Residential) District.

i. The Public Hearing was declared open at 7:10 PM

ii. Public comment

There was no comment

iii. The Public Hearing was declared closed at 7:11 PM

8. New Business

A. Consideration of an application for Special Use Permit. The People's Store of Douglas has submitted an application to provide a ground floor residence within an existing building in the C-1 District, located at 34 Center Street (29 Spring), and within the C-1 Village Center District.

Agenda Items for 8A Include:

1. Site Plan illustrating location and size of proposed Unit 7.
2. Staff Report dated June 5, 2009

Kilpatrick began the discussion by saying that the preliminary application came before the commission in September of 2008. The new ordinance makes this use feasible because of the limited footprint of the building.

Robin Bauer, 34 Center St, the building owner said that the property consists of two buildings. We are seeking approval to change this building from commercial to residential. The quality of the interior space will be the same as the other condominiums

in the project; we have been given two awards. **Kilpatrick** asked if there were regulations that made it difficult to continue as a commercial space. **Bauer** responded that a commercial sprinkler system would have created a tremendous expense because of the difference between commercial and residential permits. With residential we are able to use the converter valve in the main building. **Urquhart** asked about water availability on Spring St. **Bauer** said that they would have had to go directly to Center St or to Main St and that the city was very reluctant about digging up Center St since the road had just been resurfaced.

Kilpatrick said that the proposed use is similar to others in the C-1A District. There were concerns as to whether there is enough parking but language in Section 10.04(a), the space is considered grandfathered. The Special Land Use request is clearly stated as seeking a mixed-use. The purpose of the Village Commercial District was to not restrict the commercial area; this property is separate from the remainder of the commercial district and adjacent to residential to the north. The DDA has been intent on increasing the residential offerings in the downtown.

Urquhart stated that she has a problem doing this by special land use: an efficiency apartment is not close to the classifications set forth in the ordinance (Convalescent or Nursing Home). There were many discussions and this sets a precedent for going against the vision that we had.

Nern asked what the alternative would be if the commission didn't do this as a Special Land Use.

Kilpatrick explained that the petitioner could go through the Zoning Board of Appeals (ZBA) or rewrite the request.

VanPelt said that the commission was looking for owner-occupied buildings; this would be going around the way the ordinance was intended.

Kilpatrick said that in the transition from the old to the new ordinance he thought the use of a ground floor unit as a special land use had been omitted.

Marineau asked why a convalescent/nursing home would be acceptable when this would not; this is a far less intrusive use than either of those.

Kilpatrick said that essentially, people live there; it is not an active storefront.

Urquhart said that at this end of town there isn't any property large enough to hold either of those kinds of facilities. The hotel part of the argument makes more sense than a residential but if you are looking at size and being on a side street this could actually make sense but the ordinance says we can't do it.

Waddell stated that it wasn't erroneously removed from the rewrite of the ordinance. What's to say that there isn't a precedent to say that other buildings can do the same thing? It makes sense to send it to the ZBA.

Kilpatrick asked if it is too large a deviation. Then we need to look at the rest of the special use language. Let's view this property as being related to other uses.

Waddell said that the ordinance does say specifically that use be retail on the first floor and residential above.

Nern added that another consideration is the ability for limited use persons having quality of life issues would find the proximity to downtown, on the first floor, quite convenient. One says this is a matter for the ZBA; is there a re-visitation of this concept in order?

Bauer offered that the entrance will not be off Center Street but off the Courtyard.

Urquhart said that it would be much quicker to take the request to the ZBA rather than an ordinance revision that would take at least 60 days.

Kilpatrick asked if the commission wished to rethink the language, whether or not?

VanPelt offered that we just passed a new ordinance; we need to take the time to talk about the types of residential use that could be available on the side streets.

Motion by Urquhart, second by Waddell, to deny the Special Land Use for Unit #7 of the existing mixed use building located at 34 Center Street, property parcel # 03-59-560-007-00, commonly known as The People's Store as our findings for Special Land Use designation 10.01 (b) intent of the C-1 Zone have not been met.

Motion carries by unanimous roll call vote

B. Consideration of an application for Special Use Permit. Cindy Klomparens, on behalf of Educare, has submitted an application to operate a Child Care Facility within an existing building at 100 St. Peter's Drive, known as St. Peter's Church.

Agenda items for 8B include:

1. Plat Map of surrounding area
2. Plot map illustrating existing on-site improvements
3. Staff report dated June 30, 2009

Kilpatrick introduced this application as a Special Use in the Harbor Residential District. The church has historically been used as a classroom building. The specific standard for

Child Care in the R-4 District is that the proposed use would be mostly inside the building. The only reservation would be the outdoor playground facilities. When we last met, Cindy had discussed using the area in front of the buildings.

Kelly Squire, Educare employee, said that the staff had been given permission to use the grassy area to the rear of the building. **Waddell** pointed out the area on the map and explained that was where the playground was located when the Parochial School was located there. She also said that it might be advantageous to follow the same procedure as the commission did with the Uncommon Grounds Roaster; to say that if there are complaints of noise then the city will address them.

Kilpatrick asked Squire if the state required any type of fencing around the playground area. She said that she wasn't sure that it was mandatory. Kilpatrick said that the majority of the area is enclosed.

There was conversation among the commissioners about the playground.

Motion by Waddell, second by Urquhart, to approve the special use permit for the Educare Child Care Center to be located at 100 St. Peter's Drive (property parcel #59-016-036-00). The applicant has proposed to use two classrooms within the St. Peter's Church campus development. Section 26.08 standards have been complied with. Section 21.01(3) in relation to buffering will be revisited once the operation has met the standard of operation. The commission will provide a 90 day certificate of occupancy in which surrounding property owners may voice complaints; and complies with Section 25.03

Motion carries by unanimous roll call vote

9. Old Business

A. Application for Site Plan amendment and parking waiver for Thistle Lofts.

Agenda Items for 9A Include:

1. Site Plan for Thistle Lofts
2. Staff memorandum dated July 2, 2009
3. e-mail Letter from Walter Klimek in support of the project

Kilpatrick reviewed with the commission that the applicants had been given approval for two residential units by the Commission on December 10, 2008 conditioned on the owners finding parking. Parking was not obtained; the applicants had made it clear that they would return once the Zoning Ordinance had been changed and approved. Section 10.04, as well as Article 19, provides for less parking; the applicant still needs to find two parking spaces. The DDA has been in support of this project verbally but due to the schedule of the meetings was not able to offer an official written opinion. They have been in support of projects adding residential in the downtown.

The Commissioners discussed the value of residential property in the downtown and agreed that including it would add vitality to the area. However, the question comes back to the problem of granting waivers and the history of those already granted. There is a need to find a long-term solution to the parking situation.

John Thomas, Center St, spoke on the nature of waivers and how the granting of waivers in Saugatuck has created an enormous problem for the city.

Marineau continued the discussion of what the vision is for the downtown area.

VanPelt asked about the number of occupants allowed in that size unit.

Tim Glinski, 284 Riverview Dr, applicant said that this was the first time we were able to come before the Planning Commission under the new ordinance. We believe that we are here in compliance with the language of the ordinance. We have no qualms about telling guests what the regulations are regarding no parking overnight on Center St.

VanPelt asked Glinski if they had thought about the logistics of telling people booking from out of town where to park. **Nern** asked about the asphalt behind the building and was told it was part of the Chaps property. **Waddell** said that she did not believe the request was in compliance with section 10.04. Is this now a reasonable use or does the addition maximize the use? There were questions about the use of bike racks impeding sidewalk traffic. We should not be getting into a philosophical discussion about the size of the request; we changed the ordinance to become more lenient. **Marineau** said that he agrees that the commission should let the language guide future decisions. The DDA should develop a contingency plan in case a parking problem does develop. **Urquhart** said that portions of the approval were designed to meet the old ordinance and we gave them a way to do that. She would look at the parking only, not to change the number of units or the sizes of the units.

Motion by Waddell, second by Urquhart, to deny the Site Plan Review for the Thistle Lofts at 10 Center St (pp #59-530-002-00) within the C-1A Village Center District based on Section 10.04 (b, 2, ii): a waiver is not required for applicant to gain reasonable use of the site.

Roll call: Waddell, yes; Urquhart, yes; Marineau, no; VanPelt, yes; Dellartino, no; Nern, no

Motion denied

Kilpatrick stated that the denial was based upon the inability of the applicant to provide adequate parking which cannot be provided. Since there was a 3/3 split in the decision, the applicant can request to have a rehearing.

10. Community/Economic Development Director's Report

Kilpatrick stated that he is looking for a recommendation regarding an accessory building on a waterfront lot. For the most part, folks do not want to put a garage between the house and the water. Would the Planning Commission like to consider an amendment to consider allowing accessory buildings in this way in the waterfront district?

Urquhart explained that the particular property that came before the ZBA was looking for a detached garage/detached accessory building. It was difficult to find a way to make it so that it met the front yard setback requirement. How many properties would that impact?

Kilpatrick said that the issue could be included in the bucket list; the ZBA made the recommendation that the Planning Commission consider this.

Kilpatrick reported that the DDA is thinking about the future and would like to increase the level of communication between the Council, the Planning Commission, and the DDA. **Nern** asked about the sharing of documents between the three organizations.

11. Hear from the Audience

John Thomas, Center St merchant, said that the DDA board speaks for the DDA but there are a variety of voices to be heard. He sees the future of downtown business as almost insurmountable. Regarding the request from the People's Store, there has never been a business that found success in the space they would like to make residential.

Helen DeGeatano, member of the DDA, said that the DDA is working on a vision for Douglas; one of the purposes of the DDA is to bring in new business. She indicated that her presence was to support the Thistle Lofts request as well as the People's Store; it is hard to believe that people get denied when others have been granted numerous waivers.

Steve Laughner, 36 Center St, spoke on including professionalism in the Planning Commission deliberations. He didn't understand the contradiction in the conversation and the voting. He believes in the system but did not see it in action here.

Nern responded that in this challenging environment many towns in the state are ghost towns. He has great faith in the future even though things don't always work the way that we want them to work. The professional staff provides recommendations; this country is based on people being able to have differing opinions.

Mary Glinski, 284 Riverview Dr, said that she was disappointed now for a third time. Attorney Mulder had said that waivers were a given. Yes, you want to be able to maximize the use of building that you own. She thinks the Commission should seriously consider when others give a recommendation for a project within the downtown that it have some weight.

12. Commissioner Comments

Dellartino said that he saw valid points on both sides of the arguments. As a matter of comparison between Saugatuck and Douglas: this past Fourth of July weekend, Douglas looked like the ghost town compared with vibrant Saugatuck. Saugatuck has its problems but it is vibrant.

VanPelt noted that when she goes to Saugatuck she is always happy to return to quiet Douglas. She said that her votes are cast based on objectives; one must take away subjectivity.

Urquhart said that the Commission has been appointed to support the village.

Waddell was wondering if the Commission could receive an outstanding bucket list quarterly so that issues do not fall through the cracks. We want to be careful not to change an ordinance based on one person's thoughts. Our voting needs to be based on what the ordinance says.

Marineau said that he didn't feel there was flexibility built into the Zoning Ordinance to be able to vote differently than he did.

Nern finished by saying that we continue to work as best as we can.

13. Adjournment

Motion by Dellartino, second by Waddell, to adjourn the meeting at 9:29 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail

Approved By: _____

Ryan Kilpatrick, Community/Economic
Development Director

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Wednesday, August 12, 2009

1. The meeting was called to order at 7:09 PM by Chairperson Nern.

2. Roll Call: Dave Burdick, Ron Dellartino, Paul Marineau, Christopher Nern, Alexa Urquhart, Karen VanPelt

Also in attendance: Ryan Kilpatrick, Community/Economic Development Director; Kurt McCamman, City Attorney

Absent: Renee Waddell

3. Approval of Minutes

A. Planning Commission Regular Meeting Minutes of July 8, 2009

Motion by Urquhart, second by Dellartino, to approve the Minutes of the Regular Meeting of the Planning Commission dated July 8, 2009 as submitted

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Kilpatrick asked to change item 9.A to 6.B

Motion by Urquhart, second by Dellartino, to approve the agenda for the August 12, 2009 Planning Commission with the proposed change of Item 9.A to 6.B

Motion carries by unanimous roll call vote

5. Hear from the Audience

All audience members who wished to speak were comments regarding Item 7.A and were informed that they could speak during the discussion for continuity.

6. Written Communication

A. Kalamazoo Gazette article: Weekend Getaway-Douglas, Michigan
Color copies were available for the commissioners to view.

B. (Moved from 9.A) Kilpatrick introduced the 21st Century Communities-Green Communities Challenge which seeks to have the city identify gaps in energy usage and

develop a long-term goal for better energy consumption. **Nern** spoke in favor of the challenge.

7. Unfinished Business

A. Application for Site Plan Amendment and Parking Waiver for Thistle Lofts Agenda Items for 7.A Include:

1. Site Plan for Thistle Lofts
2. Staff Memorandum dated August 6, 2009
3. Staff Memorandum dated July 2, 2009

Kilpatrick gave a brief history of the Thistle Lofts project and the steps that brought the applicants to this place. The original request for two rental residential units of 900 square feet was approved by the Planning Commission on December 8, 2008 subject to the applicant making arrangements for the required parking off-site. That proved to be impossible. Since the new ordinance has been adopted with changed parking requirements, the Glinski's are requesting a reconsideration of the original application. The motion placed before the Commission on July 8, 2009 failed due to lack of support from a majority of the Commission. The applicant has requested a rehearing of the application before the full body of the Commission. The site plan has changed somewhat from the original but the proposal is to build residential above commercial. The site would require two parking spaces and the applicants are requesting a waiver of the parking requirements. **Kilpatrick** mentioned his dual role as Zoning and Economic Development Director and the positive effects economically that this project would likely bring to the downtown area. As Zoning Director he seeks to look at the zoning requirements.

Mary Glinski, applicant, 284 Riverview Dr wished to address some points in the memo Kilpatrick prepared for the Commissioners. In the section dealing with conditions for approval it states the applicants provide bicycles for guests' use. She does not feel that there would be a place for storage; they do not have the means to maintain bicycles properly; and bicycle safety is an issue with the configuration of the streets in the downtown area. The DDA concurs that bicycles are not necessarily safe in the area. There is already a new business established on the Blue Star that rents bicycles, we would not want to cut into their business. We would be happy to donate \$500 toward the purchase of bicycle racks for the downtown.

Tim Glinski, applicant, 284 Riverview Dr wished to address a point discussed at the last meeting; in discussion, section 10.04.2.b.2 was cited but that section did not exist in December when we first applied. There has been no question that residential use would be good. To say that the site is being reasonably used currently is not correct; we wish to construct on the second story, there is no site currently.

Sharon Bauer, The People's Store, added that she and her husband think that it is the life-blood of the community to have people around, they are in favor of the project and ask the commission to give the most liberal interpretation of the ordinance.

Steve Laughner, 12 Center St, spoke in favor of the project as it would act as a benchmark to impact future development and bring progress to the downtown. The

architecture would keep with the ambiance of the current downtown and as the expansion is over a currently owned building it would compliment the existing businesses.

Nern gave some direction to the commissioners regarding discussion of the project.

VanPelt asked Amy Cook, architect, about compliance with the Americans with Disabilities Act provisions since there is no elevator and the accommodations are on the second floor. **Cook** responded that the size of the project means that it complies without the need for an elevator.

Burdick said that it looks like the Commission has three criteria to grant the waiver. The project is in keeping with the character and intent of the district. It all comes down to ii. The ordinance has made it mandatory to have mixed-use development; it is the clear intent of the district to have integrated mixed-use development. Quite frankly, defining the second story as a separate site is erroneous; it is the same site. If we do not allow them to build the second floor, we are not allowing them to add to the flavor of the area. We are in a gray zone but the benefits of bringing in people outweigh the negative effects of loosing those two parking spaces. Unfortunately, there is no place to put a bicycle rack in that block. It may be appropriate to place a rack at some other reasonably accessible area. The thirty minute restriction should be open for debate. Currently, the only “No Overnight” parking is from November through March for snow removal. If there is to be restrictive parking, those spaces need to be clearly labeled.

Urquhart spoke about the additions to the building and that the building was remodeled to include the spaces now known as Circa and Thistle Gallery. It is one building with the corner building and does include residential above. One reason those spaces are one story was to give the downtown a varied skyline. She remains firmly opposed to further waivers.

Marineau spoke about the negative effects of granting and not granting waivers in a small town.

Urquhart added that all of the buildings that have been granted waivers have been commercial not residential.

VanPelt said that she does not like waivers either but there has not been a good solution presented. To render absolute conformance puts an unreasonable and unnecessary burden on the owners.

Dellartino said that he supported the waiver for two parking spaces; there should be no further waiver requests from this small development. The Commission needs to begin working with the DDA on a parking solution before it becomes a problem. He does not see parking from residents in the Lofts as an issue.

Urquhart asked attorney McCamman that since there are still questions regarding parking waivers if there are ways that a parking moratorium could be imposed.

McCamman responded that for reasons of economic development or if looking at the structure of parking in the area a moratorium could be instituted. **Urquhart** asked if the fee-structure on the wall in the lobby has any meaning. **Kilpatrick** clarified by saying that until we have established a clear definition, could we implement a moratorium.

McCamman responded yes.

Nern pointed out the letter from the **DDA Chairperson, Bill Smith**, in favor of the project.

Dellartino said that the commissioners should take note that in the letter it states that the DDA is will to contribute to the cost-sharing of some new parking areas.

Motion by Marineau, second by Dellartino, to approve the application for and grant the waiver of two (2) parking spaces associated with Thistle Lofts at 10 Center Street, as well as the amendment to the site plan to change from two units to four units, per the standards and requirement of Section 10.04, the applicant having successfully demonstrated criteria necessary pursuant to Section 10.04(b)2, such approval being specifically conditioned upon the building meeting approval of all construction standards and fire codes and based upon the following findings of fact:

- 1. Proposed construction is entirely within the existing building footprint*
- 2. Proposed construction would bring the existing building to a height similar to those buildings immediately adjacent.*
- 3. Request for waiver is for a di minimus number of spaces: two (2)*
- 4. City of Douglas is currently in a particularly bad economic environment and must promote economic development where possible and reasonable*
- 5. Proposed use is specifically identified within the intent statement of the C-1 district.*

Motion carries by roll call vote with one nay from Commissioner Urquhart

8. New Business

- A. Draft language to revise various sections of the Zoning Ordinance.

Agenda Items for 8A include:

1. Staff Memorandum dated August 7, 2009
2. Proposed draft text to amend the City of Douglas Zoning Ordinance

Kilpatrick said that following the discussion of the change of use proposal for the portion of The People's Store at last month's meeting he and Commissioner VanPelt had looked at some of the issues in the ordinance regarding ground floor residential units in Sections 26.13 and 2.21. We will need the approval of the city attorney for language changes prior to a public hearing being set. **VanPelt** asked about the ability of the city to

set standards for window height or window coverings. **Kilpatrick** responded that there are standards that he and McCallum can look into.

Motion by Urquhart, second by Marineau, to place a Public Hearing for September 9, 2009 for the changes to the Zoning Ordinance that are being considered pursuant to attorney review

Motion carries by unanimous roll call vote

9. Community/Economic Development Director's Report

B. DDA Update: **Kilpatrick** shared with the Commissioners some ideas that the DDA have been thinking about regarding a consistent message for marketing and branding the Douglas Downtown. With a market analysis, we may identify the gaps and improve those gaps so that we can have an active and vibrant downtown. There is a push for more residential and lodging for the downtown; the inclination is that the more people there are in town, the more vibrant the community will be. City Council has batted around ideas to relocate the police department/maintenance facility out of the downtown to better utilize the property.

C. Douglas Socials: Community Input Gathering
Kilpatrick said that the Commission has permission from the DDA to attend the Socials with volunteers to ask questions of community members regarding their feelings about the community. **Nern** mentioned that getting an e-mail address of ten gives us another method of getting community input. **Kilpatrick** wondered if the commissioners wished to have questions in advance. **Urquhart** responded that community members are not shy about sharing issues.

10. Hear from the Audience

Mary Glinski, 284 Riverview Dr, wished to thank Dave Burdick and Ryan Kilpatrick for their leadership in the discussion this evening. Glinski does not feel that a moratorium on parking is a positive thing right now. That would hold up economic development in the downtown. If there is some kind of resolution where parking could be incorporated, we would support it.

Steve Laughner, questioned how to support economic development; understand the need for clear thinking on the parking issue. Please don't curtail small business owners trying to get started.

Nancy Ayers, 174 Riverview Dr, pleased that the Thistle project has passed. Any positive activity on Center St is positive for the downtown. The DDA would love to work with you on solutions to the parking situation.

11. Commissioner Comments

Urquhart noted that the commission is exacerbating the problem if we don't come up with a solution on the parking waiver issue. We need a solution on line.

Marineau noted that during his tenure on Council, they didn't feel there was a problem with parking. It would seem to be Council's problem to revisit.

Urquhart said that we need to have something spelled out for the next applicant.

Kilpatrick said that one of the draft ordinances had a payment in-lieu-of provision. We need to realize that a lot of parking is taken up by the restaurants. We need to find a system that is fair and equitable and is do-able. Further discussion is definitely needed concerning parking. The parking fee system was untenable.

McCamman said that the Commission has a right to investigate as long as you are considering a reasonable time-frame.

Burdick said that he does not want this issue to distract form the sub-district planning. The parking issue can be solved; we don't want to take the pressure off the planning.

12. Adjournment

Motion by Dellartino, second by Urquhart, to adjourn the meeting at 8:45 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail

Approved By: _____

Ryan Kilpatrick, Community/Economic
Development Director

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Wednesday, September 9, 2009

1. The meeting was called to order at 7:03 PM by Chairperson Nern.

2. Roll Call: Dave Burdick, Ron Dellartino, Christopher Nern, Alexa Urquhart, Renee Waddell

Also in attendance: Ryan Kilpatrick, Community/Economic Development Director

Absent: Paul Marineau, Karen VanPelt

3. Approval of Minutes

A. Planning Commission Regular Meeting of August 12, 2009

Dellartino noted a typo on page 4, paragraph 2: change will to willing

Motion by Urquhart, second by Burdick, to approve the Minutes of the Regular Meeting of August 12, 2009 as corrected

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Urquhart requested that there be continued discussion of the moratorium on parking waivers. The Item was added to Unfinished Business as Item 9.B. Parking Waiver Moratorium

Motion by Urquhart, second by Waddell, to approve the agenda for the September 9, 2009 Planning Commission as amended

Motion carries by unanimous roll call vote

5. Hear from the Audience

No audience members wished to speak at this time.

6. Written Communications

A. Letter from Greg Phillips regarding accessory structures.

Kilpatrick explained that the home-owner is a resident on the lakeshore and is interested in constructing an accessory structure in his front yard. Since this issue has arisen previously it might make sense for the Planning Commission to take a look at solutions. Lakeshore owners do not wish to place these structures near the water.

Urquhart noted that there are many homes along the lakeshore with structures to house trash receptacles. **Kilpatrick** added that many of those structures are constructed in the right-of-way. **Urquhart** continued to say that this is something we should look at, the structures are more pleasant to look at than the trash or cans. **Nern** noted that it can be a challenge for many on the lakeshore who do not have easy access to the road. It might make sense to look at refuse collection in general. **Burdick** said that on inland lakes the front of the house is defined as the water-facing side; it might make sense to allow the home-owner to make the choice.

7. Public Hearing

A. Hearing to accept public comment pertaining to draft language to revise the Zoning Ordinance; to add an additional definition for the term *Transparency*; to provide special use standards for the residential use of a ground floor unit in a commercial zone district; and to change the word *should* to *shall* within Section 4.01 (XX District Intent) and Section 27.04 (Project Design Standards for Planned Unit Developments).

1. The Public Hearing was declared open at 7:15 PM.

2. Public Comment

Roselia Durham questioned the posting and publication of the Public Hearing.

Robin Bauer, 34 Center St #5 said that the fact that you are addressing the issue can provide options for the community; we thank you.

3. Commissioner Comment

Nern explained that in the process of redoing the Zoning Ordinance there had been a short discussion of first floor residences in the commercial district. The People's Store problem brought the issue to the forefront. He continued to say that a viable community is one where people are involved; this may be a way to provide more downtown residential. First floor units can provide ease for those less mobile. **Urquhart** asked if the provision would be just as viable in the general provisions section; even when you are setting up a standard subdivision you wish to provide for privacy in any home.

Kilpatrick responded that this would put the onus on the Planning and Zoning Office.

The state has made it very difficult to develop a single family subdivision.

Tim Glinski, 284 Riverview Dr, asked if in discussing this change to the ordinance there is anything that would prohibit ground floor residential behind a building on Center St.

Kilpatrick responded that would be a special land use request, all of the onus would be on the applicant. **Burdick** added that fire access would be a determiner. **Glinski** also wondered if the 30 foot from the Center St right-of-way does not discriminate.

Kilpatrick said that would be correct. **Urquhart** said that the applicant would need to have the approval of the commission.

The Public Hearing was closed at 7:32 PM

8. New Business

A. Motion to recommend adoption of the proposed Zoning Ordinance revisions to the Douglas City Council.

Agenda Items Relating to Item 8.A.

1. Memo re: proposed draft zoning amendments
2. Memo re: window treatments and signage in the C-1 District

Motion by Urquhart, second by Dellartino, to recommend the proposed amendments of the Zoning Ordinance to the City Council including Section 2.21 Definitions beginning with the letter "T": Transparency; Section 4.01 Intent; Section 26.13 Ground Floor Residential; and Section 27.04 Project Design Standards

Motion carries by unanimous roll call vote

Urquhart wished to open the discussion regarding the second memo pertaining to window coverings in the C-1 District. **Kilpatrick** reviewed the reason for the memo and his research following last month's meeting. **Urquhart** gave examples of why it would be difficult to enforce. **Kilpatrick** added that the issue is interactive and it might be better to deal with it as a standard rather than a zoning ordinance. **Waddell** said that the commission needs to be careful of regulations. **Burdick** said that there is a fairly bright line that can be drawn between signage and merchandise. Creative window displays should be encouraged. There are many other issues to be dealt with in the signage ordinance. **Nern** questioned where the commission is on the whole sign issue. This might be a good place to seek input from the DDA in terms of a broader sign ordinance. **Kilpatrick** reminded the commissioners that there is already a lengthy list of issues that need to be dealt with; how are we going to prioritize the list?

The consensus was that no action would be taken on this item at this time.

9. Unfinished Business

A. Master Plan Discussion

Kilpatrick reported that there was little formal work done at the Douglas Socials due to a lack of support from the DDA and other pressing issues. **Urquhart** noted there was a visioning process used in the past that worked very well. **Kilpatrick** had used a visioning process with the DDA recently. We need to have a defined scope so that there is a clear agenda for a particular issue; we need to identify the key issues. **Nern** said that reactions from people can draw away from the discussion if the issue isn't focused. We have the opportunity to create the finest community on the lakeshore, a place that provides opportunities for everyone. **Kilpatrick** said that City Manager Kowal has asked for direction from City Council on where they would like energies to go. The Master plan is the area **Kilpatrick** would like to focus, including:

Blue Star as a corridor

- Multi-family housing
- Larger sub-areas
- Waterfront
- Seasonal Rental
- Urban forestry plan
- Historic preservation
- Storm water ordinance
- Bike path
- Property maintenance
- Special Events
- Capital improvement plan
- Industrial district

City Council has adopted the Green Communities Challenge

Then there is code enforcement:

- Meadow Argus
- 19 Water Street
- Blue Star sign ordinance

We need City Council to give us a mandate, to give us direction. We should choose the ones that will have the most impact, that are the most important.

Urquhart questioned whether there were some issues that needed to be dealt with prior to a change in the Master Plan. **Nern** wondered if there were some items that could be grouped with similar items so that the most progress could be made. It would be nice to have a lot of input from the community. **Urquhart** said that she would like us to deal with the seasonal rental issue before next spring. **Waddell** mentioned signs; could we evaluate some kind of sign importance? **Burdick** wondered if it would be easier to organize by topic; that may break it into areas of importance, to help focus our thinking. **Kathy Bates**, lifelong Douglas resident, had comments on signage and speeding. **Roselia Durham** questioned who was responsible for tree root problems playing havoc with the sidewalk. **Kilpatrick** responded that it is a general law ordinance and would be in touch with her.

B. Parking Waiver Moratorium

Kilpatrick explained that on the advice of legal counsel, it is suggested that there not be a parking moratorium until another solution can be found. **Urquhart** asked if that direction needed to come from City Council or from the Planning Commission. **Kilpatrick** responded that one of the things he is requesting from Council is direction.

10. Community/Economic Development Director's Report

Kilpatrick reported that the DDA will be adopting its visioning process. We are looking for direction from the City Council on where to go next.

11. Hear From the Audience

Tim Glinski, 284 Riverview Dr, wished to address two items: first, with window treatments he would encourage creative window designs with the understanding of public security in mind. The other point is on the bucket list: with an accessory building in the front yard the solution could be as simple as one sentence; it would only apply to people on the water; people can't put up a simple shed because it would be in their front yard.

12. Commissioner Comments

Urquhart: nothing further

Waddell: Kilpatrick is organizing volunteers for the Octoberfest, please volunteer for a couple of hours. The City Manager rescinded his resignation.

Dellartino: no comment

Burdick: congratulations and sympathies to Commissioner Waddell as the new Mayor.

Nern: noted how well the commission works together as a team. He looks forward to the buckets!

13. Adjournment

Motion by Dellartino, second by Burdick, to adjourn the meeting at 8:35 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail
Recording Secretary

Approved By: _____

Ryan Kilpatrick, Community/Economic
Development Director

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Thursday, October 8, 2009

1. The meeting was **called to order** at **7:04 PM** by **Chairperson Nern**.
2. **Roll call:** Dave Burdick, Paul Marineau, Christopher Nern, Alexa Urquhart, Karen VanPelt
Also in Attendance: Ryan Kilpatrick, Community/Economic Development Director
Absent: Ron Dellartino, Renee Waddell

3. Approval of Minutes

A. Planning Commission Regular Meeting Minutes of September 9, 2009

Motion by Urquhart, second by VanPelt, to approve the Minutes for the Regular Meeting of the Planning Commission for September 9, 2009 as presented

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Motion by Urquhart, second by VanPelt, to approve the agenda for the Thursday, October 8, 2009 Planning Commission as presented

Motion carries by unanimous roll call vote

5. Hear from the Audience

No one wished to speak.

6. Written Communication

A. None was received

7. New Business

A. Motion to approve/deny/table the request for site plan approval submitted by Uncommon Grounds, Inc.

Agenda Items relating to item 7 A

1. Application for Site Plan Review and attached site drawings

2. Staff memo dated October 5, 2009

The Commissioners discussed the merits of the application within the proposed zoning district.

Motion by Urquhart, second by Marineau, to approve the site plan for Uncommon Grounds Coffee Roasters at 6785 Enterprise Drive, property parcel number 03-59-160-001-00, located in the Light Industrial District with the condition of an after-burner/thermal coupler being installed, otherwise as presented

Motion carries by unanimous roll call vote

8. Unfinished Business

Kilpatrick said that he is looking to the Council to set priorities and will return to the Commission with a better feel for the direction they would like to see. He hopes to get to the bucket list very soon thereafter.

9. Community/Economic Development Director's Report

Kilpatrick reported that the DDA is looking at a business incubator plan; what fits with the current mix and may provide support for the current businesses.

10. Hear from the Audience

There were no comments.

11. Commissioner Comments

The commissioners shared their thoughts.

12. Adjourn

*Motion by Urquhart, second by Burdick, to adjourn the meeting at 7:45 PM
Motion carries by unanimous voice vote*

Respectfully submitted,

Alan McPhail
Recording Secretary

Approved By: _____

Ryan Kilpatrick, Community/Economic
Development Director

**APPROVED MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
DOUGLAS CITY HALL
Thursday, November 12, 2009**

1. The meeting was called to order at 7:07 PM by Chairperson Nern

2. Roll Call: Dave Burdick, Ron Dellartino, Candace Dugan, Paul Marineau, Christopher Nern, Alexa Urquhart, Karen VanPelt

Also in attendance: Ryan Kilpatrick, Community/Economic Development Director

3. Approval of Minutes

A. Planning Commission Regular Meeting of October 8, 2009

Motion by Urquhart, second by Burdick, to approve the Minutes of the October 8, 2009 Planning Commission as presented

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Motion by Urquhart, second by Dellartino to approve the agenda as presented

Motion carries by unanimous roll call vote

5. Hear from the Audience

No one wished to speak.

6. Written Communication

None presented

7. Public Hearing

A. Application for Special Use Permit, submitted by The People's Store of Douglas, for the property located at 29 Spring Street (parcel # 59-560-007-00). The applicant has proposed to use an existing structure for the purposes of a ground floor residence. This is considered to be a special land use within the C-1 (Village Center) District.

i. The Public Hearing is Declared Open at 7:13 PM

ii. There is no Public Comment

iii. The Public Hearing is Declared Closed at 7:14 PM

8. New Business

A. Consideration of an application for Special Use Permit. The People’s Store of Douglas has submitted an application to provide a ground floor residence within “unit 7” of an existing building in the C-1 District, located at 29 Spring Street, and within the C-1 Village Center District.

Agenda Items for 8A Include:

1. Notice of Public Hearing
2. Site Plan illustrating location and size of proposed unit 7
3. Staff Report revised November 3, 2009
4. Letter of support from the DDA, dated September 16, 2009
5. Approved Amendment to the Zoning Ordinance

Kilpatrick gave a brief history of the request. Commissioners had a brief discussion on the merits of the proposal.

Motion by Urquhart, second by Dellartino, to approve the application for Special Use Permit for the People’s Store of Douglas to provide a ground floor residence within Unit 7 of the existing building at 29 Spring Street (parcel # 59-560-007-00) within the C-1 Village Center District subject to the approval of the Saugatuck/Douglas Fire Department and compliance with Sections 2.21, 4.01, and 26.13 of Ordinance 02-2009

Motion carries by unanimous roll call vote

9. Unfinished Business

None presented

10. Community/Economic Development Director’s Report

Kilpatrick reviewed progress on discussions with the City Council on priorities for zoning decisions. Commissioners commented on expectations.

11. Hear from the Audience

No one wished to speak.

12. Commissioner Comments

The Commissioners shared their thoughts.

13. Adjournment

Motion by Dellartino, second by Van Pelt to adjourn the meeting at 7:45 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail
Recording Secretary

Approved By: _____

Ryan Kilpatrick, Community/Economic
Development Director