

**THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING OF THE PLANNING COMMISSION
DOUGLAS CITY HALL - 86 W. CENTER STREET, DOUGLAS, MI
WEDNESDAY, FEBRUARY 14TH, 2018 - 7:00 P.M.**

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Agenda Changes/Additions/Deletions** - Motion to approve the Planning Commission Agenda of February 14th, 2018 as presented (or as amended by the Planning Commission)
- 4. Approval of Minutes:** Motion to approve the Planning Commission Joint Meeting Minutes of Wednesday, January 10th, 2018.
- 5. Written Communications**
- 6. Public Comment related to agenda items only** (limit 2 minutes per person)
- 7. New Business:**
 - A. Site Plan Review of 22 Center Street** – Borrowed Time Wine Bar and Restaurant
 - i. Declare Public Hearing open
 - ii. Public Comments (2 minutes per person)
 - iii. Declare Public Hearing closed
 - iv. Planning Commission review and consideration of a motion to approve / conditionally approve / deny / table the request for Site Plan Approval at 22 Center Street (PP# 03-59-820-001-00 and 03-059-100-011-00).
- 8. Old Business: Medical Marijuana, Signage Ordinance and Form Based Code Updates**
- 9. Hear from the Audience** (Limit of 5 minutes for general comments)
- 10. Commissioner Comments**
- 11. Adjournment**

Please Note: The City of the Village of Douglas is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Jean E. Neve, City Clerk (269-857-1438) promptly to allow the City of the Village of Douglas to make reasonable accommodations for those persons.

CITY OF THE VILLAGE OF DOUGLAS
JOINT MEETING OF THE PLANNING COMMISSION & CITY COUNCIL
DOUGLAS CITY HALL- 86 W CENTER STREET, DOUGLAS, MI
WEDNESDAY, JANUARY 10TH, 2018- 7:00 P.M.
MINUTES

1. **Call to Order:** Mayor Anderson called the joint meeting to order at 7:00 P.M.
2. **Roll Call:** Members present: Pattison, Barrone, Tischleder, Kenny, Burdick, Harvath, Anderson, Lion, Miller, Seabert Members Absent: Heneghan, Sapita, Greenwood, Mooradian. Also present: Lisa Imus.
3. **Agenda Changes/Additions/Deletions** - Motion by Harvath with support from Pattison to approve the Joint Planning Commission & City Council agenda of January 10, 2018 as presented. Motion carried by unanimous voice vote.
4. **Approval of Minutes** - Motion by Kenny with support from Tischleder to approve the Planning Commission minutes of Wednesday, December 13, 2017 as presented. Motion carried by unanimous voice vote.
5. **Written Communications: None**
6. **Public Comment: None**
7. **New Business: None**
8. **Old Business - Medical Marijuana Ordinance Review** - Imus explained to members that they were going to go over the draft ordinance tonight, make updates and then send to legal review. Imus presented a PowerPoint. Discussion on special use permit. Imus will consult with city attorney regarding questions and review entire ordinance. Members went through draft page by page and made updates/corrections. Anderson thanked Planning Commission members for all their work on this.
9. **Hear from Audience** - Kim Yob spoke to members. Yob has not seen an ordinance so far that doesn't require a special use permit. Yob suggested to members that they look at the point system to choose applicants. Yob stated that there has only been 1 application in the state for transport. Doug Damstra is a residential developer looking at Swing Bridge. Damstra asked members for their thoughts and recommendations on purchasing and finishing the project. Burdick suggested Damstra look at the current ordinance/master plan to see what is permitted and if plans meet the criteria the Planning Commission would be open to looking at it.
10. **Staff Report** - Imus reported 9 new homes and 4 remodels were approved in December. A site plan will be presented for a remodel downtown in February.
11. **Commissioner Comments** - Lion stated she appreciated the Planning Commission being thorough with the medical marijuana ordinance.
12. **Adjournment:** - Motion by Pattison with support from Kenny to adjourn meeting. Meeting adjourned at 8:53 P.M.

86 W. Center Street
PO Box 757
Douglas, MI 49406
269-857-1438 Office
www.ci.douglas.mi.us

City of the Village of Douglas

Memo

To: City of the Village of Douglas Planning Commission
From: Lisa Imus, City Planner
Date: 02/09/2018
Re: Site Plan Application: 22 E Center – Borrowed Time Restaurant

This memo is regarding the Application for Site Plan Review submitted by Kimberly Bale for the proposed re-use and addition to the building located at 22 E Center Street (pp# 59-820-001-00 and 59-100-011-00) and within the C-1A (Village Commercial) District

BACKGROUND: . The applicant has proposed to relocate an existing restaurant in Saugatuck to Douglas and add a commercial kitchen, second restroom and a bar to the interior of the building. Several new doors and windows will be added to the east side of the building opening to a deck area with outdoor seating.

As illustrated in the attached Site Plan, the proposed addition to 22 E Center Street would be constructed to the east of the current building. The existing sanitary sewer and water will be used. The construction does require a new gas service and meter. Storm water will continued to be handled by the current drainage system. Runoff is not anticipated, however all storm water must be retained onsite.

A landscaping buffer 6' tall with 80% opacity will be placed at the north of the property abutting the residential zoning. 4 new trees will be placed along the east property line (1 tree / 30' of public ROW). All new lighting placed on site will be dark sky compliant.

A copy of the proposed site plan has been provided to Fire Chief Greg Janik of the Saugatuck Township Fire District for review. A copy of his report will be provided to the Planning Commission as soon as it is received.

USE: The applicant has proposed a change of use for the site from a personal service establishment (salon) to a restaurant establishment, both uses permitted by right within the C-2 District (Section 11.02).

DEVELOPMENT REQUIREMENTS (SECTION 10.02):

C-1 Village Center District		Required	Existing	Proposed
Lot Area:		4,000 sq. ft.	9,532.9 sq. ft.	9,532.9 sq. ft.
Frontage:		20 ft.	80 ft.	80 ft.
Max Lot Coverage:		80%		25.8%
Setbacks:	Front:	0 ft.		10 ft.
	Side:	0 ft.	0' W / 53.5' E	0' W / 38' E
	Rear:	25 ft.	47.5 sq. ft.	47.5 sq. ft.
Minimum Transparency		60% 1 st / 30% 2 nd	60% / 38%	60% / 38%
Recessed Entry		3' – 5'		10'
Height:		28' from ave grade		26'

PARKING & LOADING: Section 19.03 -37 requires that 29 parking spaces be provided within 300' of the location to accommodate at least one space per three seats of maximum capacity (as determined by the fire chief), plus one space for each employee on the largest work shift. The floor plan submitted with the site plan illustrates 72 total seats and the largest shift is expected to consist of five (5) employees (29 required spaces) and there are 34 spaces available within 300'.

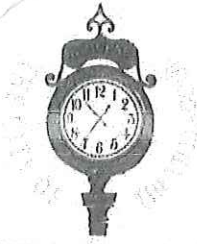
In addition to the community parking, the owner is proposing to convert one public parking space to a designated handicap accessible space at their cost, in addition to the creation of 7 private spaces and one loading space to the north of the building. Because of their timing to open, they have requested that they be allowed until fall to have those spaces created. Staff is recommending that they be approved, contingent on the spaces being complete by May 31, 2019.

RECOMMENDATION: The C-1A Village Center Commercial District is intended to provide for small retail and service establishments in character with the historical role this commercial area has played. The district regulations are designed to promote convenient pedestrian shopping and dining, and stability of retail development by encouraging a contiguous retail frontage. The proposed use appears to be in keeping with the intent and general character of the C-1A zoning district. I do not foresee any substantial and/or negative impacts this use may have upon surrounding uses or the district as a whole. It is recommended the proposed additional private parking plan be approved if the Planning Commission is satisfied with the amount of parking currently available in close proximity to this site.

The proposed use of the 22 East Center Street appears to be in conformance with all required standards of the Zoning Ordinance.

Staff does recommend that the proposed site plan be approved with the conditions that:

1. All facilities remain in conformance with the provisions of Section 10.02 relating to restaurant uses.
2. All storm water is contained on-site.
3. Fire Department approval is obtained.
4. Signage shall fully comply with the City Sign Ordinance (this may require a license agreement to be approved by City Council for a sign over the right-of-way)
5. All required permits are obtained including Soil and Sedimentation Erosion Control, if necessary.



Application for Site Plan Review
CITY OF THE VILLAGE OF DOUGLAS, MICHIGAN
Phone: 269-857-1438 Fax: 269-857-4751
<http://ci.douglas.mi.us>

PROPERTY INFORMATION

Address or Location 22 E. CENTER ST. DOUGLAS, MI 49406
Permanent Parcel # 03-59-820-001-00 & 59-100-011-00
Zone District (Current) C1 (Proposed) C1
Property Size 9532.9 SF
Existing Use RETAIL (SALON) Proposed Use RESTAURANT

Describe Proposed Project

Relocation of existing restaurant, Borrowed Time, from
Saugatuck to Douglas. See attached narrative for more
detail.

Estimated Project Cost \$55,000

I, KIMBERLY BALE (owner/contractor) hereby state that all of the above statements and all of the
accompanying information are true and correct.

Kimberly Bale
Signature of Owner/General Contractor

1/22/18
Date

Email address: Kim@borrowedtime saugatuck.com

Phone: 616.610.1711

Fee:
Site Plan Review \$300

DO NOT WRITE IN THIS BOX

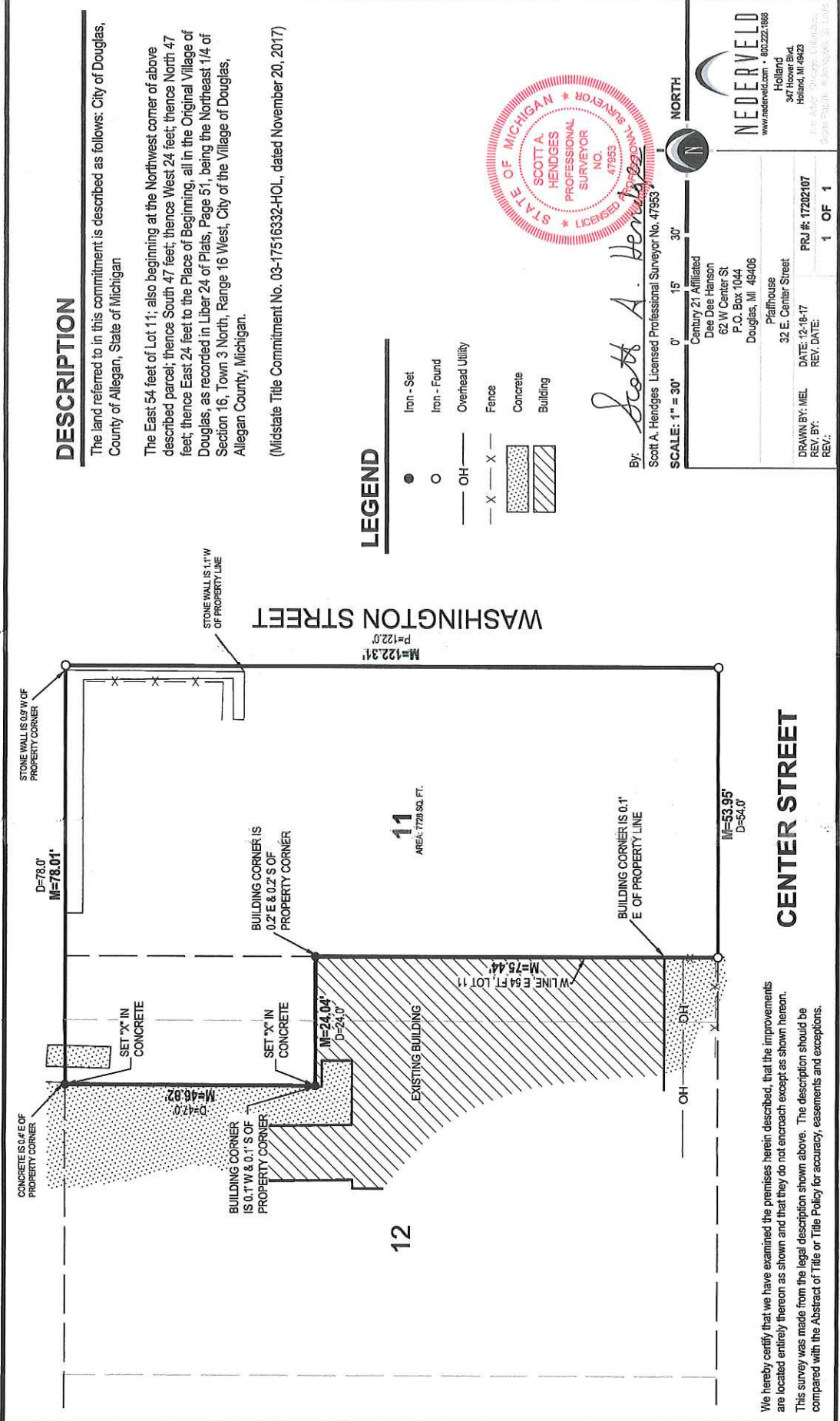
Date Received 1/22/18 Application Accepted By Krisher Fee Paid \$300
Submitted Materials: ☒ Plot Plan ☒ Application ☒ Legal Description ☒ Narrative Description

We're excited to move our successful wine bar & small plates restaurant, Borrowed Time, from Saugatuck to Douglas this spring. We plan to add a commercial kitchen, a second restroom, and a bar to the interior of the building. We also plan to knock new doors/windows into the east side of the building to allow easy access to the patio/yard that we will create on the adjacent empty lot. Pending approval & permits, we will start construction as soon as possible in an effort to have the project complete by May 1 at the latest.

Borrowed Time has become a home away from home for locals and visitors alike. We're excited to take what we've built in a small space in Saugatuck and grow it into a larger year-round restaurant in Douglas. We will keep reasonable hours, opening by 12pm and closing by 12am at the latest each day (most likely 11pm on weekdays). We will pull building permits with Allegan County Township Services and all construction will need final approval. We own a transferrable liquor license and have started the transfer process with the state of Michigan, which we anticipate completing sometime in April. We are also submitting site plans to the Allegan County Health Department for approval, a process we are familiar with that should be completed in a timely manner as construction continues.

In relation to neighboring properties, we believe Borrowed Time will be visually welcoming, reminding passersby and neighbors of familiar summer gatherings with friends. We will add fencing to the perimeter that is low enough to provide visuals out of the water and surrounding businesses. Any speakers, music, or light will enhance our property without hindering our neighbors. We have had success with live music during daylight hours and would continue to close the yard as the sun sets, bringing the noise level in and keeping the atmosphere relaxed. We'll provide 6-7 new parking spots for guests and employees, maximizing our lawn space to provide the best visitor experience for our business and the town. We'll also encourage visitors to bike to our business by providing a bike rack for patrons.

Many of our regular patrons live in Douglas and we're excited to move our businesses within walking distance for them. We're also energized by the future plans for the city, particularly the marina development. We have worked hard to make Borrowed Time a relaxing atmosphere where guests can vacation from their vacation, or just slow down for a bit and experience a new wine or game of giant Jenga with friends. We've had a very collaborative relationship with our neighbors in the area and will continue to do so, hopefully creating new opportunities for everyone to share clientele and create unique, memorable experiences for locals & tourists alike. We're excited to start this project in Douglas and hope you are as well, we welcome any questions you may have along the way.



DESCRIPTION

The land referred to in this commitment is described as follows: City of Douglas, County of Allegan, State of Michigan

The East 54 feet of Lot 11; also beginning at the Northwest corner of above described parcel; thence South 47 feet; thence West 24 feet; thence North 47 feet; thence East 24 feet to the Place of Beginning, all in the Original Village of Douglas, as recorded in Liber 24 of Plats, Page 51, being the Northeast 1/4 of Section 16, Town 3 North, Range 16 West, City of the Village of Douglas, Allegan County, Michigan.

(Midstate Title Commitment No. 03-17516332-HOL, dated November 20, 2017)

LEGEND

- Iron - Set
- Iron - Found
- OH — Overhead Utility
- X — X — Fence
- ▨ Concrete
- ▩ Building



By: *Scott A. Hendges*
Scott A. Hendges Licensed Professional Surveyor No. 47953

SCALE: 1" = 30' 0' 15' 30'



Century 21 Affiliated
Dee Dee Hanson
62 W Center St
P.O. Box 1044
Douglas, MI 49406

NORTH



Plat House
32 E. Center Street
DATE: 12-18-17
REV. DATE: 12-18-17

CENTER STREET

We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon. This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

Holland
347 Hoover Blvd.
Holland, MI 49423
Jim Adair Chicago, Illinois
Dean Paulk Huntington, St. Louis

DRAWN BY: MEL
REV. BY:
REV. DATE: 12-18-17
PRJ #: 17202107
1 OF 1

WARRANTY DEED

(Platted/Condominium)

Drafted By:

Richard P Waskin, Member
W.P.H. Land Holdings, LLC, assisted by
Premier Lakeshore Title Agency
PO Box 986
Saugatuck, MI 49453

Return To:

Pfaffhouse LLC
PO Box 1117
Saugatuck, MI 49453

Send Tax Bills To:

Pfaffhouse, LLC
PO Box 1117
Saugatuck, MI 49453

Recording Fee: \$30.00
File Number: 4012-242729

State Transfer Tax: \$2,156.25
County Transfer Tax: \$316.25

Tax Parcel No.: 03-59-820-001-00

Know All Persons by These Presents: That **W.P.H. Land Holdings, LLC, a Michigan limited liability company** whose address is PO Box 986, Saugatuck, MI 49453

Convey(s) and Warrant(s) to **Pfaffhouse, LLC, a Michigan limited liability company** whose address is PO Box 1117, Saugatuck, MI 49453

the following described premises situated in the City of **Douglas**, County of **Allegan**, State of Michigan, to wit:

Unit No. 1, W.P.H. Condominium, according to the Master Deed recorded in Liber 3277, Page 255, as amended, and designated as Allegan County Condominium Subdivision Plan No. 282, together with rights in the general common elements and the limited common elements as shown on the Master Deed and as described in Act 59 of the Public Acts of 1978, as amended.

More commonly known as: **22 Center St., Douglas, MI 49406**

For the full consideration of: **two hundred eighty seven thousand five hundred** Dollars (\$287,500.00)

Subject To:

Existing building and use restrictions, easements of record, and zoning ordinances, if any.

PREMIER
Lakeshore Title


Premier Lakeshore Title Agency, LLC

(Attached to and becoming a part of Warranty Deed dated: January 08, 2018 between W.P.H. Land Holdings, LLC, a Michigan limited liability company, as Seller(s) and Kimberly Bale and Robert Mayo, as members of Pfaffhouse, LLC, a Michigan limited liability company, as Purchaser(s).)

Dated this January 08, 2018.

Seller(s):

W.P.H. Land Holdings, LLC, a Michigan limited liability company

By: 

Name: Richard P Waskin

Title: Member

State of Michigan

County of Allegan

The foregoing instrument was acknowledged before me this January 08, 2018 by Richard P Waskin, member of W.P.H. Land Holdings, LLC, a Michigan limited liability company.


Notary Public:

Notary County/State: /

County Acting In:

Commission Expires:

Susan K. Calkins

Notary Public, State of Michigan

County of Allegan

My Commission Expires Aug. 23, 2018

Acting in the County of Allegan

WARRANTY DEED

03-17516332-HOL

KNOW ALL PERSONS BY THESE PRESENTS: That: Stephen E Sheridan and Tanya H Sheridan, husband and wife, ("Grantor")

the address of which is: PO Box 211, Saugatuck, MI 49453

convey(s) and warrant(s) to: Pfaffhouse LLC, ("Grantee")

the address of which is: PO Box 1117 SAUGATUCK MI 49453

the following described premises situated in the City of Douglas, County of Allegan, State of Michigan, to wit:

SEE EXHIBIT A

also known as Property Address: 32 E Center St, Douglas, MI 49406
Parcel ID No.: 59-100-011-00

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One Hundred Eleven Thousand and 00/100 Dollars (**\$111,000.00**).

Subject to existing building and use restrictions, easements of record, and zoning ordinances, if any.

When Recorded return to:

Send Subsequent Tax Bills To:
Grantee

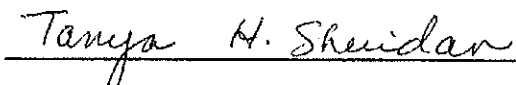
Drafted By:
Stephen E Sheridan
PO Box 211
Saugatuck, MI 49453
Assisted by: Midstate Title Agency,
LLC

Dated this January 08, 2018

Signed by:



Stephen E Sheridan



Tanya H Sheridan

State of Michigan)

County of Allegan)SS.

The foregoing instrument was acknowledged before me on this 5th day of January, 2018 by Stephen E Sheridan and Tanya H Sheridan, husband and wife

LISA GONZALEZ
Notary Public, State of Michigan
County of Ottawa
My Commission Expires May 10, 2019
Acting in the County of Allegan

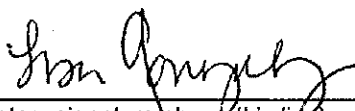

(Notary signature above this line)
Notary Public Printed Name: Lisa Gonzalez
Notary County: Ottawa, State: Michigan
Commission Expires: 5/10/2019
Acting In: Allegan

EXHIBIT "A"

Land situated in the City of Douglas, County of Allegan, State of Michigan

The East 54 feet of Lot 11; also beginning at the Northwest corner of above described parcel; thence South 47 feet; thence West 24 feet; thence North 47 feet; thence East 24 feet to the Place of Beginning, all in the Original Village of Douglas, as recorded in Liber 24 of Plats, Page 51, being the Northeast 1/4 of Section 16, Town 3 North, Range 16 West, City of the Village of Douglas, Allegan County, Michigan.

Commonly Known as: 32 E Center St
Tax Parcel ID: 59-100-011-00