

**PLANNING COMMISSION
CITY OF THE VILLAGE OF DOUGLAS
CITY HALL - 86 W. CENTER STREET, DOUGLAS, MI
WEDNESDAY, JANUARY 8TH, 2020 – 7:00 P.M.**

AGENDA

- A. Call to Order**
- B. Roll Call**
- C. Agenda Approval** - Motion to approve the Planning Commission Agenda for January 8th, 2020 as presented (or as amended with additions/changes/deletions)
- D. Approval of Minutes** - Motion to approve the Planning Commission Minutes of December 11th, 2019 as presented (or as amended with additions/changes/deletions)
- E. Written Communications**
- F. Public Comment related to agenda items only** (limit 2 minutes per person)
- G. New Business:**
 - 1. Site Plan Review of 2922 Blue Star Highway (03-59-020-004-00)..... Decision**
 - a. Presentation by applicant
 - b. Planning Commission review and consideration of a motion to approve / conditionally approve / deny / table the request for Site Plan Approval on 2922 Blue Star Highway
 - 2. Adult Use Marihuana Ordinance..... Recommendation**
- H. Unfinished Business**
 - 1. Certificate of Occupancy for 435 Blue Star Highway.....Decision**
- I. Hear from the Audience** (Limit of 5 minutes for general comments)
- J. Commissioner Comments**
- K. Adjournment**

**PLANNING COMMISSION
CITY OF THE VILLAGE OF DOUGLAS
CITY HALL - 86 W. CENTER STREET, DOUGLAS, MI
WEDNESDAY, DECEMBER 11TH, 2019 – 7:00 P.M.**

MINUTES - DRAFT

- A. Call to Order:** Vice-Chair Louise Pattison called the meeting at 7:00 PM
- B. Roll Call:** – Buszka, Pattison, Stewart, Seabert, McWebb
Absent – Heneghan
Also Present – City Planner, Lisa Imus
- C. Agenda Approval** – Kenny, with support from Seabert, made a motion to approve the Planning Commission Agenda for December 11th, 2019 as amended. (amendment to #2 under New Business changed to 435 Blue Star Highway, Koi Holdings, LLC) Motion approved by acclimation.
- D. Approval of Minutes** – Seabert, supported by Stewart, made a motion to approve the Planning Commission Minutes of October 9th, 2019 and November 13th, 2019 as presented. Motion approved by acclimation.
- E. Written Communications:** None
- F. Public Comment related to agenda items only** (limit 2 minutes per person)
Robin Bauer, 36 Center St. is in support of and recommends final approval of the new business at 310 Blue Star Highway.
- G. New Business:**
- 1. Site Plan Review of 310 Blue Star Highway (03-59-017-089-50).....Public Hearing**
 - a.** Declare Public Hearing open - Pattison opened the public hearing. Stewart recused himself from the chamber room due to a conflict of interest.

- b. Presentation by applicant – Vicki Cobb presented the site plan for 310 Blue Star Highway. They are very excited to start construction. Their business concept will be a market with a midsized event space. Planning to open in April of 2020.
- c. Public Comments – Lisa received 5 letters:
 1. Danny Esterling, Dunes Resort & Northern Lights Condominium Complex Owner, is in support of the site plan.
 2. Frederick Royce, neighboring business owner, is in support of the site plan.
 3. Jodi Welscot, Huntington Bank employee and West Michigan Blue Star Chamber of Commerce member, is in support of the site plan.
 4. Kathy Shroder, Northern Lights Condominium condo owner, had concerns about hours of operation, parking, and pool rights and would like to see signs stating private property.
 5. Dick Waskins, RE/MAX of Saugatuck/Douglas realtor, is in support of the site plan.
- d. Declare Public Hearing closed – Pattison closed the public hearing.
- e. Planning Commission review and consideration of a motion to approve / conditionally approve / deny / table the request for Site Plan Approval on 310 Blue Star Highway

Motion by Kenny, with support from Buska, to approve the 310 Blue Star Highway site plan as presented with the following conditions; exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets, signage shall fully comply with the City Sign Ordinance, dumpster enclosure doors must be added to the dumpster enclosure, fire department approval is obtained, as well as confirmation that the seating and use capacity meets the required parking area allocation, and all required permits are obtained and receipts are forwarded to the City. Motion approved by unanimous roll call vote.

- 2. **435 Blue Star Highway, Koi Holdings, LLC.....Follow Up**
 Dave Setzke and Ethan Del Stone, owners of Koi Holdings, LLC requested more clarity on the requirements regarding outstanding site plan deficiencies that are holding up their Final Certificate of Occupancy (they have a temporary Certificate of Occupancy). They are seeking their Final

Certificate of Occupancy due to state regulations and financial challenges regarding medical marihuana. Imus stated they will need to correct the items that are deficient before a Final Certificate of Occupancy can be issued, unless a) Planning Commission would opt for a performance guarantee to be secured pursuant to Section 23.06 for the amount of the cost of landscaping to be released only after the landscaping is completed or Planning Commission approves for the final landscaping to be delayed until the adjacent properties also install the same landscaping element. 435 Blue Star Highway will be tabled to the January 8, 2020 Planning Commission meeting to see if they have complied with all site plan deficiencies.

- 3. 2020 Planning Commission Schedule.....Approve Schedule**
Kenny, supported by Buska, made a motion to approve the Planning Commission 2020 Calendar as presented. Motion approved by acclimation.

H. Unfinished Business

- 1. Sign Ordinance.....Committee Report**
Kenny stated that the committee has met and is making progress. Imus stated that due to the increased pressure to pass the recreational marihuana ordinance the sign ordinance will be put on temporary hold.

- I. Hear from the Audience:** Dave Setzke offered his lawyer’s assistance with point system information for recreational marihuana from other cities.

J. Commissioner Comments:

Stewart voiced concerns about the complexity of site plan requirements in the zoning ordinance. Seabert, Kenny, Buska, McWebb – Wished all a happy holiday season.

- K. Adjournment:** Kenny, supported by Seabert, made a motion to adjourn meeting. Motion approved by acclamation at 8:55 p.m.

Respectfully Submitted by Jenny Pearson, Deputy Clerk



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 Douglas, MI 49406
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The City of the Village of Douglas

Memo

To: City of Douglas Planning Commission
From: Lisa Imus, City Planner
Date: 1/3/2020
Re: Site Plan Application: 2922 Blue Star Highway

This memo is regarding the application for site plan review submitted by Kim Busscher for the addition of a new 11,900 sq. ft. warehouse in the **L-1 (Light Industrial) District**, on property parcel number 03-59-020-004-00, commonly known as 2922 Blue Star Highway. The applicant has proposed that the new building will be used for storage of products only and will not increase traffic to the site or result in the addition of any new staff.

BACKGROUND:

The site currently accommodates two structures, all of which are setback a minimum of 495 feet from the front lot line adjacent to Blue Star Highway. The applicant has proposed 11,900 sq. ft. new structure on the west side of the southerly building

DEVELOPMENT REQUIREMENTS (SECTION 11.02):

L-1 District		Required	Existing	Proposed
Lot Area:		21,000 sq. ft.	664,725 sq. ft.	664,725 sq. ft.
Frontage:		100 ft.	161.92'	161.92'
Max Lot Coverage:		50%	8.52%*	10.31%*
Setbacks:	Front:	25 ft.	240 ft.	394 ft
	Side:	15 ft.	15'	317' +/-
	Rear:	25 ft.	602 ft.**	541'
Minimum Floor Area:		1,000 sq. ft.	17,559 sq. ft.	11,900 sq. ft
Maximum Floor Area:		15,000 sq. ft.	--	--
Height:		28' from ave grade	25.78'	26

* including buildings, drive and parking

** existing is 646' to property line / 110' to zoning, proposed is 650' to property line / 10' to zoning line

The proposed site plan does meet the L-1 development requirements as outlined above. The property is of an adequate size and has the appropriate frontage to be a buildable lot in the L-1 District. The applicant has submitted a site sketch (refer to site plan) which illustrates a 394' front yard setback, a side-yard setback of 317 +/-, and a 541' rear yard setback. The lot coverage on site is illustrated as approximately 10.3% of the total site area. The maximum height of the proposed building will be 26 feet.

The applicant has stated that the customer visitation is currently infrequent and is not likely to increase due to the building expansion. The Parking requirements for the proposed use are identified as one space per employee of the largest shift. While Busscher construction does not expect to add any additional employees because of the construction, staff would still like to see a minimum of 2 parking spaces installed and the property owner has agreed.

RECOMMENDATION:

It is recommended that the proposed site plan be approved with the following conditions:

- a) There will be no external storage.
- b) All facilities remain in conformance with the provisions of Section 11.02 relating to warehouses.
- c) All storm water is contained on-site.
- d) Fire Department and City Engineer approvals are obtained.
- e) Existing on-site utilities be extended, as required to serve the proposed addition. A fire suppression pond will not be permitted. **This will be worked out with Fire Department, City Engineer and KLSWA**
- f) Any loading, unloading areas and trash receptacles shall be adequately screened **will be added to plan**
- g) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and to that it does not impede the vision of traffic along adjacent streets **will add lighting to plan**
- h) Signage shall fully comply with the City Sign Ordinance
- j) All uses and structures in the L-I District shall be subject to the following:
 1. Provisions of Article 19: Off-street Parking and Loading Requirements. (one space for each employee on the largest work shift – **will install a minimum of 2 and include on site plan**)
 2. Provisions of Article 24: Site Plan Review.
 - Existing or proposed public right-of-way and private easements. **Utility and/or access road needs to be determined and added to site plan**
 - Proposed streets, driveways, parking spaces and sidewalks **driveway and parking spaces to be added to site plan**

- Location of utilities including natural gas, cable, electric, telephone, fire hydrants; and the location and design of water supply, storm water management facilities, and waste water systems **will be added to site plan**
- A landscaping plan indicating the locations of planting and screening, fencing, and lighting in compliance with the requirements of Article 21. Also, proposed locations of common open spaces, if applicable. **Owner is asking for a delay in installation until neighboring property's also install**
- Location of exterior drains, dry wells, catch basins, retention and/or detention areas, sumps and other facilities designed to collect, store or transport storm water or wastewater. The point of discharge for all drain and pipes shall also be specified on the site plan. **Will add to site plan.**
- Project completion schedule. **6-month construction in 2020**

3) Provisions of Article 21: Landscaping, Buffering and Fencing.

a. Site Landscaping:

1. Except in the case of a planned unit development and in addition to any buffer zone and/or parking lot landscaping required by this section, ten (10) percent of the site area, excluding existing thoroughfare right-of-way, shall be landscaped.
2. Areas used for storm drainage purposes, such as unfenced drainage courses or retention areas in front or side yards, may be included as a portion of the required landscaped area not to exceed five (5) percent of the site area.
3. Landscaping along public rights of way shall include a minimum of one (1) tree at least fifteen feet in height or a minimum caliper of three (3) inches (whichever is greater at the time of planting) for each thirty (30) lineal feet, or major portion thereof, of frontage abutting said right of way. Tree species shall be selected from the City of Douglas recommended species list. The remainder of the landscaping within the right of way shall comply with the recommendation of the Blue Star Corridor plan or other streetscape plans on file at the time of application and may include grass, ground cover, shrubs, and/or other natural, living, landscape material. **Owner is asking for a delay in installation until neighboring property's also install**

11) Exceptions to Screening Requirements:

Existing Screening: Any fence, screen, wall or hedge which does not conform to the provisions of this Section and which is legally existing at the effective date of this Ordinance may be continued

and maintained, provided there is no physical change other than necessary maintenance and repair in such fence, screen, wall, or hedge except as permitted in other sections of this Ordinance.

Planning Commission Modification: Any of the requirements of this Section may be waived or modified through Site Plan approval, provided the Planning Commission first makes a written finding that specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective, or where it would impair vision at a driveway or street intersection.

Lisa Imus

From: Lisa Imus
Sent: Thursday, January 2, 2020 3:32 PM
To: David Setzke; Ethan Del Stone
Subject: 435 Blue Star Highway
Attachments: draftutilityeasement for KIO.doc

David and Ethan:

I am preparing to issue the January Planning Commission Meeting Agenda tomorrow. I wanted to check with you about the outstanding items I am still aware of for the Final Certificate of Occupancy.

- Could you please provide photos of the rear parking lot striping and the garbage enclosure?
- Per initial site plan requirements, the owners should execute a drainage easement to the City over the existing 18" storm sewer pipe for the City's access and maintenance
- The parking area adjacent to Blue Star Highway will be planted with a 12' long and 3' tall evergreen hedge. **This needs to be installed or negotiated.**

PLANNING COMMISSION AVAILABLE RESOLUTIONS FOR EVERGREEN HEDGE:

Section 24.03 Site Plan Approval Standards

4) Parking Lot Landscaping: Installation, Maintenance and Completion. All landscaping required by this Ordinance shall be planted prior to obtaining a certificate of occupancy or a performance guarantee will be secured pursuant to Section 23.06 for the amount of the cost of landscaping to be released only after the landscaping is completed.

As an option to a Temporary Certificate of Occupancy - If all deficiencies are taken care of besides landscaping, a performance guarantee can be obtained in the amount that it would cost the city to install the landscaping if it is not installed according to the plan by a set deadline, and the Final Certificate of Occupancy could be issued.

11) Exceptions to Screening Requirements:

- d) Planning Commission Modification:** Any of the requirements of this Section may be waived or modified through Site Plan approval, provided the Planning Commission first makes a written finding that specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective, or where it would impair vision at a driveway or street intersection.

Another option for Planning Commission is to waive this landscaping requirement until one or both of the neighboring properties have completed the same landscaping.

I have also attached a draft copy of what you can use for a utility easement for the storm drain. All you need to do is fill in the blanks and attach the Exhibit.

Let me know if you have any questions. Thank you! Lisa

Lisa Imus

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