

THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
86 W. CENTER ST. – DOUGLAS, MI 49406
MARCH 10, 2021 – 7:00 PM

- A. Call to Order: By Chair Pattison at 7:00 pm
- B. Roll Call: Present - Buszka, McIntyre, Seabert, Pattison
Absent – Heneghan, Mc Webb
1. Approval of Agenda
Motion by Seabert, with support from Buszka, to approve the March 10, 2021 agenda as amended, removing PUD from agenda items 1, 2, & 3,4 as well as removing agenda item which states C2 (should read R2), remove West Shore from the agenda. Motion carried by unanimous roll call vote.
 2. Approval of the February 24, 2021 meeting minutes.
Motion by Seabert, with support from McIntyre, to approve the February 24, 2021 meeting minutes. Motion carried by unanimous roll call vote.
- C. Public Communication:
1. Verbal Communication:
Robert Kenny – questioned if there would be an opportunity to comment, after the presentation for 3075 Lake Shore Dr.
Garnet Lewis – spoke in support of Koi request for drive-up window.
Peter Rhodes – Attorney representing the Bredeman family who live to the south of 3075 Lake Shore Dr.
- D. Written Communication:
Nick Wikar, City Planner stated there were 20 letters received, however they were received after the agenda went out. The letters are on file at City Hall for viewing.
- E. New Business:
1. Site Plan Review & Special Use Permit Application – Short-Term Rental Registration Application, 18 E. Center St. (Kimberly Bale, DunDun LLC)

Motion by Seabert, with support from McIntyre, to open the Public Hearing. Motion carried by unanimous roll call vote.

Applicant seeking a special use permit to allow for the rental of a two-person rental unit on the second floor of 18 E. Center St. (Borrowed Time). The owner has discussed this intent with the Fire Dept. and their approval was given. Parking will be behind the building. One letter in support was received and one individual spoke in support during the Public Hearing. City Planner Wikar stated the applicant had all paperwork in on a timely manner.

Motion by Seabert, with support from McIntyre to close the public hearing. Motion carried by unanimous roll call voice.

Discussion: Members discussed the trash receptacle behind the building, and stated they wanted to know how it was to be screened.

Motion by McIntyre, with support from Seabert, to approve the Short-Term Rental Registration application from 18 E. Center St. (Kimberly Bale, DunDun LLC). Motion carried by unanimous roll call vote.

2. Land Division Application and Site Plan Review, 3075 Lakeshore Drive (David Janks, Neptune Property Management, LLC; Frank Martin, Dorchen/Martin Associates, Inc)

Motion by Seabert, with support from Buszka, to open the Public Hearing. Motion carried by unanimous roll call vote.

Applicant seeking land division for four (4) parcels to be used in the future. At current time the applicant intends to build one house. The applicant addressed the commission stating he is aware of the public concern for the future of this area, particularly in stormwater drainage. His primary goal is to build a home for his family, he is open to withdraw his initial thought of lot splits and amend the proposal.

Public Comments:

Mark Linroth/6934 & 6939 Garandana – Concerns with runoff.

Bob Kenny – Addressed the fact not all documents have been submitted, also addressed grading, and drainage issues in the area.

Peter Rhoades – Attorney for Bredeman, addressed his client’s stormwater runoff issues. Allegan County Drain Commissioner has recently stated the accumulation of water is coming from the properties to the south.

Wikar stated there were no plans other than the lot splits. Addressing the applicant, he stated they can continue with the Public Hearing or have the application tabled.

Motion by Seabert, with support from Buszka, to close the Public Hearing. Motion carried by unanimous roll call vote.

Discussion: Members were a bit confused on what they were being asked to approve, they felt they needed further information. One member addressed the drainage and suggested bringing in the City Engineer to review the site. Frank Martin, representing the property owner stated they would be withdrawing the application for a property split and would proceed with the site plan, he would not be opposed to tabling the application until further information can be brought before Planning.

Motion by McIntyre, with support from Seabert, to table the land division application and site plan review, 3075 Lakeshore Drive (David Janks, Neptune Property Management, LLC; Frank Martin, Dorchen/Martin Associates, Inc). Motion carried by unanimous roll call vote.

3. Site Plan Review, Land Division & Special Use Permit Application – Drive Through, Marihuana Facility, 435 Blue Star Highway (Koi Holdings LLC)
Motion by Seabert, with support from McIntyre, to open the Public Hearing.
Motion carried by unanimous roll call vote.

Dave, owner of Green Koi, addressed commissioners regarding the need to pivot rather quickly for the safety of his employees and customers. One month after opening the Governor allowed for curbside and drive thru, which caused us to have to pivot again. We are looking at increasing our square footage and adding a drive through window which would eliminate the extra need for our curb side pickup. Additional screening to the north parking area will be provided to ensure vehicle lights do not shine in the home during evenings.

Public Communication: Kimberly Bales, Center St. spoke in support of Green Koi application. Don Elliot, homeowner to the north of Green Koi, spoke in support of the application and stated the business owners have been extremely professional.

Staff Comments: City Planner Wikar - Pleased to hear the screening to the north of the parking area will be addressed. At the time the municipal ordinance was adopted the State had not allowed for drive-up windows, now that the State does allow for these windows the owner of the building would like to install one. Planning would have to address updating the ordinance.

Motion by Seabert, with support from McIntyre, to close the public hearing. Motion carried by unanimous roll call vote.

Motion by Buszka, with support from Seabert, to accept the application with the following conditions, (1) Council amend the existing ordinance to permit drive through marijuana dispensaries and (2) that the area between the home to the north and the parking area to the north are modified to mitigate light and sound. Motion carried by unanimous roll call vote.

4. Removed from Agenda
- F. Old Business
 1. Amendment to Bylaws and Procedures (Douglas Planning Commission)

Motion by Seabert, with support from Buszka, to table discussion. Motion carried by unanimous roll call vote.

- G. Reports of Officers, Members, Committees (Planning and Zoning Administrator N. Wikar)

Wikar will work with Green Koi to get revised plans that show the screening. What was decided today will be held until City Council can respond to that petition in the application or the amendment. If they were to deny the amendment, he will work with the applicant to allow for the site plan review to continue without the drive thru window.

Buszka inquired about utility discussions and if this would be something coming before the Planning Commission. Wikar would like to have discussion with members from various boards prior to bringing the discussion to Planning. Buszka, regarding a previous application, added to the record that his comments regarding groundwater drainage and soils were all based on either information he had heard from public comments or from publicly available sources of information online.

H. Public Comments

Green Koi applicant thanked Planning Members and looks forward to working with Nick.

I. Adjournment

Motion by Seabert, with support from McIntyre, to adjourn the meeting. Motion carried by unanimous roll call vote. (8:45 pm)