



**THE CITY OF THE VILLAGE OF DOUGLAS  
PLANNING COMMISSION MEETING  
THURSDAY, JANUARY 12, 2023, AT 7:00 PM  
86 W CENTER ST., DOUGLAS MI**

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**MINUTES**

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1. **CALL TO ORDER:** Motion by Chair Buszka
2. **ROLL CALL** – Present: Seabert, Pattison, O’Malley, Balmer, Freeman, Heneghan, Buszka  
Absent: None
  - A. Approval of Agenda: Motion by Commissioner Pattison, with support from Commissioner Seabert, to approve the agenda. Motion carried by unanimous roll call vote.
  - B. Approval of Minutes: Motion by Commissioner Seabert, with support from Commissioner O’Malley, to approve the minutes. Motion carried by unanimous roll call vote.
3. **PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES):**

*Suzanne Dixon* -797 Center St. is alarmed that many of the projects coming before the Planning Commission (PC) want variances of some kind. Would like the PC to weigh these requests carefully.

*David Burdick* – 385 Fremont St. disagrees with the legal analysis in that all PUD’s must be under a unified ownership, once that property was sold although it is still in a PUD designated area, it must have a 2 acre minimum and cannot piggyback onto the PUD used by Douglas Harbor Village because they do not have a unified ownership. The developer is seeking a great variance from our ordinances, through the lack of parking, through excessive height, through numerous other things that do not meet basic criteria. The Commission has no obligation to provide any variance, and in order to grant a PUD the city has to get something in exchange for loosening the regulations. The applicant does not seem to be bringing anything to the table that helps the city. After Douglas Harbor Village was built we deliberately reduced the height restrictions from 32’ to 28’ and put in a two story maximum height structure. (Speaks as past Chair of Planning).

*Debbie Larsen* – 371 Main St. agrees with Mr. Burdick and does not believe that most people know what is going on.
4. **PUBLIC COMMUNICATION – WRITTEN:** No written communication.
5. **NEW BUSINESS**
  - A. Douglas Flats - 200 Center street - Final PUD Plan Review

*Motion by Commissioner Pattison, with support from Commissioner Seabert, to open the Public Hearing for 200 Center St. Motion carried by roll call vote.*

Mr. Steve Witte of Nederveld & Associates, on behalf of the property owner Ufuk Turan, has submitted an application for Final PUD plan review for a 3,060 sq.ft. vertical mixed-use building at 200 Center St. (Parcel# 59-600-003-00) containing 10 residential units, with 2 of the units proposed on the ground floor and commercial uses facing Center St. The parcel is approximately .27 acres in size and is zoned C-1 PUD. Mr. Witte acknowledged there would be no approval for this evening due to the recently obtained information on the history of the parcel.

Chair Buszka asked for comments from the Interim Planning & Zoning Administrator, Tricia Anderson. Ms. Anderson indicated that the applicants have been working on this project for quite some time. She added that it was difficult to find any records that would provide parameters for the PUD in which the property is located. Ms. Anderson explained that some information was uncovered earlier that day that would tell the story of which PUD the parcel belonged to. The Douglas Harbor Village PUD was formed after the original PUD that included the subject parcel in the late 90's. It was called "the Lodge" and was planned for a large conference center, and it never came to fruition. This was the information that was needed in order to conclude whether any "action" had been taken on the PUD, since Section 27.10 of the PUD article in the zoning ordinance states that the PUD shall have no effect if action is not taken within one year of approval. She added that she informed the applicant shortly before the meeting about this discovery, and he still wished to continue with the Public Hearing to find out what the city really wants in this section.

*Motion by Balmer, with support from O'Malley, to close the Public Hearing. Motion carried by unanimous roll call vote.*

Commissioner Seabert expressed that he was not ok with the lack of parking and that there is a still need for parking for the workers of the retail business. He feels that the height is too tall and wondered where all the water is going. Is there a basement planned? Storage is needed for bikes, etc. Is this a rental or a condo? Is the dumpster adequate? How is a garbage truck going to maneuver?

Commissioner Heneghan does not have an issue with the height. She feels the parking is inadequate, especially when there is no buffer or landscaping between the north side and the lot. Where are the bike racks? The sidewalk on the west side of the building – is there one? How will residents with pets get their pets/kids to the main sidewalk with sharing the drive aisle? What's the projected sale price? A lighting plan is needed. Is there enough space for emergency access? The drive is noted to be needing to be 26 feet in width but it is still 24'. She doesn't want to not see it developed, but she just wants it to be meeting all these standards.

Commissioner Balmer questioned the zoning and called out parking calculation discrepancies. He wants the site developed, but he thinks the ground floor will have to be commercial because they won't meet the special land use standards of ground floor residential being required to be located adjacent to other residential districts. He gave the history of the other 3-story mixed-use building and that they promised jobs and got grant money to help pay for the improvements to Center Street.

Commissioner Freeman doesn't see this building fitting in on that parcel. He also asked if they would be short-term rentals, and he doesn't think the parking is adequate for residential. Additionally, he is worried about the garbage truck and fire truck turning radius. He stated that the first plan was a two-story – what happened with that?

Commissioner Pattison indicated that she likes the architecture but she's a hard line on 28' height maximum. She feels that parking is not adequate and that the parking lot was full at the Cove. Because of this, she feels that public parking would be competitive. The residential on the main floor is not a good fit here. She wants to see attainable housing, and wonders if it is a condo or is it a rental. She

agreed with Commissioner Heneghan questioning where residents would take their pets since there is almost no green space.

Commissioner O'Malley noted that he agrees with everyone else's comments in that there is not enough parking. The Ground floor residential doesn't fit and he's not ok with the height.

Chair Buszka agrees with Commissioner Pattison about accessibility being the only good reason for ground floor residential. He does not feel that the PUD is still in effect based on 27.10. He feels strongly about having the DDA weigh in on the proposed development, as that is what would be required under the C-1 zoning. He added that the DDA feels strongly about developments having adequate parking. There needs to be some recognizable benefit for the City in order for the city to approve departures from the zoning ordinance. He gave examples of benefits, such as affordable housing guarantees, and guaranteed no short-term rentals.

Commissioner Seabert added that the third floor must be set back like the existing 3-story building just east of the subject site. The building should be right up to the sidewalk or at least align with the setback of the realty building to the east. He'd like to see a barrier on the west side so that there isn't unlawful cross-access.

Commissioner Heneghan asked where the snow is going to go. She doesn't want to see a parking space get taken up by snow. She would also like to see a complete lighting and landscaping plan

Commissioner Balmer believes it is an expired PUD and is not in favor of the height.

Commissioner Freeman indicated that there is no parking at Alley's, no parking at Cove, no parking on the street.

Commissioner Seabert asked if the power pole would be moved. Chair Buzska allowed for the applicant to respond to some of the commissioners' concerns.

Mr. Witte responded, noting that he's hearing that the height is excessive. He also noted that if the parcel reverts back to C1 the parking is met, and he will install bike rack(s). He added that a flat roof should be no concern and that the stormwater is being handled through underground detention. He added that there will be no basement and that he will review dumpster concerns. He added that the Fire Department feedback has been obtained and that the setbacks and buffer meet the Ordinance. There is a small space to the north for snow storage, and he would look into 3' possible sidewalk along the access drive. No lighting plans have been developed yet, and he will check with City Planner on landscaping requirement. Mr. Turan spoke to the question regarding whether short term rentals are planned here. Mr. Turan added that the property will not be used as short-term or long-term rentals, and it is his goal to be able to offer market-rate housing for folks who live and work in Douglas. He appreciated the feedback and wanted to know what the city would like to see. The parking overflow could be the property next to the bowling alley, which is also owned by him. Chair Buszka wanted the applicant to hear from the public, a motion was made by Seabert, supported by O'Malley to open Public Comment.

*Dave Heilman* questioned the parking, did not want residents using his parking area.

*David Burdick* asked what would the town like to see here? He said that there were extensive conversations and sessions in assessing what the town wants and he said it's found in the zoning ordinance. There's not a lot that is working on this site.

*Dan Shanahan* would like Planning to go back and discuss the parking and snow problems. Mr. Witte, representing the applicant requested the Planning Commission table further discussion due to PUD or C1 issue, and seek the City Attorney's opinion.

*Motion by Seabert, with support from Pattison, to table the Douglas Flats application until further information has been received regarding the PUD or C1 designation, along with the City Attorney's opinion.*

*Motion carried by unanimous roll call vote.*

**6. UNFINISHED BUSINESS:** No unfinished business

**7. REPORTS**

- A. Planning and Zoning Administrator Report – Ms. Anderson noted that the Forest Gate applicant will resubmit their plan for the February meeting, and that they are now proposing duplex condos instead of 5 unit condos, in order for the development to not be subject to the Design Guidelines for Multiple Family Housing. She added that she would like to bring the Sign Ordinance to the Planning Commission for discussion only. Also, she is working on a proposal from Williams & Works to update the Master Plan
- B. Planning Commissioner Remarks  
Commissioner O'Malley thanked everyone for their work.

Commissioner Balmer thanked everyone for their objective view of the 200 Center St. plan.

Commissioner Heneghan questioned who the site plan review committee was? She also addressed the reason for their meeting prior to last month's meeting, where three planning commissioners met with the planner and the applicant and found it a bit upsetting.

Buszka stated they decided to accept the request to meet due to the applicant appearing before the commissioners 4 times.

Commissioners requested that Ms. Anderson draft a resolution that these pre-PC meetings are not to occur.

**8. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES)**

Suzanne Dixon stated BDR never recorded the conservation easement for the final section they wanted to develop.

Jerry Donovan attended his first Planning meeting and thanked PC members for their work.

**9. ADJOURNMENT**

Motion to adjourn by Commissioner Seabert, second by Commissioner Balmer.