



**THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 09, 2023 AT 7:00 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. CALL TO ORDER

2. ROLL CALL

PRESENT

Secretary Kelli Heneghan

Commissioner John O'Malley

Commissioner Neal Seabert

Chair Paul Buszka

Vice-Chair Louise Pattison

Commissioner Matt Balmer

Interim Planning & Zoning Administrator, Tricia Anderson

ABSENT

Commissioner Gregory Freeman

A. Approval of February 9, 2023 Agenda:

Motion made by Commissioner Balmer, Seconded by Secretary Heneghan, to approve the agenda.

Motion carried by unanimous roll call vote.

B. Approval of January 12, 2023 Minutes:

Motion made by Commissioner Seabert, Seconded by Commissioner Balmer, to approve the minutes.

Motion carried by unanimous roll call vote.

3. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES):

Rob Joon – Resident of Douglas stated his support for Mr. Barker's proposed development regarding the need for affordable housing.

4. PUBLIC COMMUNICATION – WRITTEN: No written communication.

5. NEW BUSINESS:

- A. Public Hearing - Forest Gate Duplex Condominium Project/ Site Plan Review – 485 Ferry Street
Pattison recused herself as announced by Chair Buszka

Motion made by Commissioner Seabert, Seconded by Commissioner O'Malley, to open the Public

Hearing for Forest Gate Duplex Condominium Project. Motion carried by unanimous roll call vote.

a. Applicant Presentation

John Kavchak spoke regarding the revised plan and how it is now proposing two-unit buildings while keeping the same number of units. He added that the product is more of a premium product and has more open area. He mentioned that the spacing between buildings are at 31'. He also stated that none of the Planner's comments should be a hurdle in receiving approval, and he believes this version of the plan is the most complete. He stated that the items in the Planner's report are not significant enough to not grant approval. Dave Barker acknowledged that there are many engineering details that are missing from the plan, and they fully plan to provide those details upon favorable recommendation to the City Council.

b. Public Comments

Carla Bryant – City of Douglas resident asked what the applicant means by affordable housing. She was also concerned with the impacts this development would have on existing infrastructure of the City.

c. Staff Remarks

Tricia Anderson, City Planner - Stated that she recognized all the time and investment made by the applicant and the original application was submitted before her time at the City. She spoke to the modified plan now proposing two-unit condos instead of the five-unit design, and that they are still subject to all zoning ordinances. She identified notable items from her report where additional information was required, and standards were not met, which reflect on completeness of the plan. Ms. Anderson emphasized that the significant number of small details that require attention, coupled with some bigger picture items that have not yet been addressed were cause for her recommendation for the Planning Commission to table the item. She noted that the applicant has not yet gathered input from the Kalamazoo Lake Sewer and Water Authority, nor have they gotten feedback from the City regarding the need for additional right of way on the City's property to the south. She added that the Planning Commission is not obligated to offer a favorable recommendation for a development that is partially proposed on someone else's property without their permission.

d. Commissioner Questions

Commissioner O'Malley stated that the number of items that the applicant needs to address may be easy conditions of approval, but there are way too many. He noted that most of the time when there's a conditional approval, there are only five or six conditions, and there are around ten that need to be met.

Commissioner Heneghan recognized the applicant's effort and work on this project. She questioned infrastructure, status of adding a light on Wiley, and asked why the traffic study was not included in the packet. She asked about what "premium" means and stated that in her mind premium does not equate to affordable. In addition, she stated that it would have been beneficial for the applicant to not forgo the site plan committee meeting before going to the planning commission. She felt strongly about having the commission ask for the phase 2 environmental review, and all requested sidewalks must be on plan.

Commissioner Seabert felt strongly about conditional approval and does not want to send an incomplete plan to City Council. He mentioned that sidewalks are extremely important, particularly for kids walking to school. He stated that the City Council would need to approve an easement in order for the project's right-of-way to be placed on the City's property connecting to Wiley Road. In addition, he also is worried about affordability and would like to see more families here.

Commissioner Balmer explained that the City Council relies on the Planning Commission to have full

knowledge of the plan and that they are forwarding a recommendation based on completeness, with all the minimum standards met. He added that the plume was not shown on the plan. In addition, the sidewalk issue must be recommended to the City Council and cannot be required by the Planning Commission. He also touched on the affordability of the proposed homes and that the City Council can work with the applicant on any incentives that might be out there for offering affordable housing, and wanted to point out the Planning Commission does not have authority to require affordability.

Chair Buszka gave his comments related to the condo plan being favorable to full or year-round residency, maybe not affordability. He stated his perspective as it relates to the wetlands on the property, both regulated and non-regulated and added that the Environmental Protection section of the ordinance (Section 16.20.2) that indicates that land that is not comprised of sensitive resources should be developed over lands that are. In addition, he stated that the City can ask for mitigation measures for when impact is proposed in the sensitive areas. He asked the applicant how many units could be moved to the north side of the east west road to avoid building in the wetlands and noted that there is an option for them to modify the layout to avoid the wetlands by relocating units. Additionally, he asked if the boundary of the subject site had changed, and Mr. Barker said yes. Other items Chair Buszka questioned were contours on the grading plan that did not show elevations, and what utilities are being proposed for internet and communications.

Commissioner Seabert commented on his concern with the wetlands as well and noted that they are subject to EGLE permits to impact the wetlands. He also was confused about the parcel number and asked if there was a survey. Mr. Barker said yes. In addition, he also asked if Council needs to approve boundary changes. Ms. Anderson said that it is not subject to review by Council.

Chair Buszka noted the layout of the units have the opportunity for cumulative errors if care is not taken to stake out the units exactly how it is shown on the plan. He asked for the applicant's response to the Planning Commission comments.

Mr. Barker spoke to Chair Buszka's idea to relocate the units to avoid the wetlands. He added that the area noted by Chair Buszka is not feasible and that the storm water detention areas are not proposed along Ferry anymore, it is now planned to be drained off site. He noted that they will get with Rich to initiate the process to get an easement on the access to Wiley. He spoke to Commissioner Heneghan's desire to request a phase 2 environmental assessment stating that not only it is costly, but he already had a phase 1 and they were given a clean bill of health.

Mr. Kavchak asked the Planning Commission to stay focused on the things that the Commission does have the authority to require. He also asked if the easement request for the City Council must be done first before the Planning Commission can review again. Ms. Anderson said that it can be done concurrently, but the decision must be made before the project can be on the Planning Commission agenda again.

Jim Geise with Dreiesenga noted that he was aware that the plan was not a complete plan. He added that the storm detention off site is better. He explained that a paved trail along Ferry may be detrimental to the wetlands and thought maybe a wooden board walk would be more appropriate.

Ms. Anderson noted that the new proposed property line on the north end may create a nonconforming parcel with the way the subject parcel resulting from the boundary change is configured.

Motion made by Commissioner Seabert, Seconded by Commissioner Balmer, to close the Public Hearing. Motion carried by unanimous roll call vote.

Commissioner Pattison returned to the table.

Motion made by Commissioner Balmer, Seconded by Commissioner Seabert, to table the item for a future date until the applicant has had a chance to go over the site plan and requirements with the Zoning Administrator to her satisfaction before bringing back to Public Hearing. Motion carried by unanimous roll call vote.

B. Draft Sign Ordinance - Discussion Only

Chair Buszka asked Tricia Anderson to talk of the sign ordinance draft amendment and process. Ms. Anderson discussed the importance of adopting content-neutral sign codes, simplifying wording, and addressed the needed amendments. She will also provide the Commissioners with sample Sign Ordinances she has gathered from other communities, so they can see what a simplified, content-neutral sign ordinance looks like. The Planning Commission provided direction for Ms. Anderson to mark up the draft ordinance and bring it to the next meeting for their review.

6. UNFINISHED BUSINESS:

Chair Buszka mentioned that 200 Center has not resubmitted anything to the Planning Commission. Ms. Anderson stated that she is discussing the property with the attorney and bringing all concerns of the Planning Commission to their discussions for legal direction.

7. REPORTS

A. Planning and Zoning Administrator Report – Ms. Anderson stated that Saugatuck Public Schools is looking to split their bus lot and rezone to R-5 and C-1. Possible plans to build single family homes there and store busses on a different site at some point in the future when the right property can be purchased for that use.

B. Planning Commissioner Remarks -

Commissioner Seabert stated that he did not appreciate the email sent from the developers that offered to address each item as a condition of approval.

Commissioner Balmer wanted to recognize Center Street reduction in regard to parking in C-1 and options a parking masterplan for the overall issue.

Commissioner Pattison Stated that we need have some sort of regulation for Short-Term Rentals.

8. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES): None

9. ADJOURNMENT:

Motion to adjourn made by Commissioner Balmer, seconded by Seabert.

Submitted by Laura Kasper, Deputy Clerk

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