



**THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
THURSDAY, APRIL 20, 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 Gregory Freeman
Commissioner Matt Balmer
Deputy Clerk, Laura Kasper
Interim Planning & Zoning Administrator, Tricia Anderson (Joined Remotely)

- A. Approval of April 20, 2023 Agenda (additions/changes/deletions)
Motion by Pattison, seconded by Balmer, to approve; April 20, 2023 Agenda. – Motion carried by unanimous roll call vote.
- B. Approval of March 9, 2023 Minutes (additions/changes/deletions)
Motion by Seabert, seconded by O'Malley, to approve the March 9, 2023 Minutes at next meeting. – Motion carried by unanimous roll call vote.

3. PUBLIC COMMUNICATION – VERBAL - Susanne Dixon, 797 W. Center – Concerns with the Forest Gate Project not being mixed workforce housing, City owned Wiley road access, and environmental aspects. Tracey Shafroth, Water St. – Strongly concerned with the City owned Wiley road access feels the City should not grant an easement for the development .

4. PUBLIC COMMUNICATION – WRITTEN - None

5. NEW BUSINESS

- A. **Saugatuck Public Schools Bus Lot (SW corner of Blue Star Hwy and Fremont St.) - Rezone Request from C-2, General Commercial to C-1, Village Center and R-5, Multiple Family Residential – Public Hearing**

Motion by O'Malley, seconded by Heneghan, to open the Public Hearing for Saugatuck Public Schools

Bus Lot Rezone Request. Motion carried by unanimous roll call vote.

a. Applicant Presentation -

Tim Travis, Superintendent of Saugatuck Public Schools, applied for the rezoning from C-2, General Commercial to C-1, Village Center and R-5, Multiple Family Residential and future land division of the parcel located at the southwest corner of Blue Star Highway and Fremont Street, owned by the school district. He spoke about how the lot used to be a gas station prior to its use as bus storage, and the western part to rezone as residential with future intent to sell off the residential section. Mr. Travis also discussed the plan to repurpose the Civil War Era house on the property by proposed move of the house to one of the proposed residential lots and recouping funds from the sale of the property. Skip Redner, Fennville area property owner, stated he restored area homes and would like to restore the said house, and has not submitted any plans yet.

b. Public Comments –

Chris Ferris, owner of Farmhouse Deli - Questioned the reason of rezoning lot to multifamily.
Charles and Cristina Bowman, 375 Fremont – They live adjacent to the property, and asked about the setbacks, and position of the houses.
Skip Redner, potential buyer of the residential lot – Stated that there is not a site plan yet but would be happy to work with them and keep the Bowmans updated. He also mentioned that he built the house that they live in.

c. Staff Remarks –

Tricia Anderson, City Planner gave a few procedural comments and stated the initial request being the rezoning from C-2, General Commercial to C-1, Village Center and R-5, Multiple Family Residential and future land division of the parcel located at the southwest corner of Blue Star Highway and Fremont Street. She answered the earlier question of rezoning to R5, stating that R5 already covers a large portion of the area, keeping in character with that zoning district, and the multi-family zoning district does allow for single family homes. She also stated that the lot size requirements for multi-family are larger, and the minimum lot size for single family is 7,920sqft. Ms. Anderson explained that the Planning Commission is tasked with reviewing the request to rezone the subject parcel and making a recommendation to the City Council to approve, deny or table the request. The splits must be approved by City Council, with anticipation of the splits being reviewed concurrently with the second reading of the rezone request. She added that the splits cannot be approved until the new zoning goes into effect. Ms. Anderson also explained that when reviewing a request for rezoning it is thru section 28.05 standards and the first step is to look to the City Master Plan on future land use, for direction as it relates to planned connectivity, and land use compatibility. She also spoke about the C-1 district being named a “potential compatible” zoning district with the future land use designation of Corridor Commercial. She noted that the stretch of Blue Star Highway between Randolph and St. Peters is somewhat unique, being zoned C-2, but demonstrating more of the downtown character. She believes that a less intense land use associated with the C-1 district would be more compatible with the surrounding residential uses.

d. Commissioner Questions -

Heneghan – Happy about moving the home and thinks C-1 is a good idea.
Freeman – Supportive of the request.
O’Malley – Supportive of the request.
Seabert – Stated concern that C-1 could be double story and change the character of Blue Star.
Balmer – Thanked Tricia for her work and sees this as an opportunity to slow traffic down enough to bring attention to the Downtown area. He also likes the idea about moving the house and added that nearby business could benefit from the C-1.
Pattison – Loves the plan to move the home.

Chair Buszka – Sees this as a win win.

Balmer – Thanked the School and addressing the need for housing.

Motion by O'Malley, seconded by Seabert, to close the Public Hearing. Motion carried by unanimous roll call vote.

Balmer moved, seconded by Seabert, to forward a favorable recommendation to the Douglas City Council for the approval of the rezoning of parcel #59-350-017-20, which is located on the SW corner of Blue Star Highway & Fremont Street from C-2, General Commercial to C-1, Village Center and R-5, in accordance with the survey and legal descriptions provided by the applicant. Motion carried by unanimous roll call vote.

6. UNFINISHED BUSINESS

A. Forest Gate Duplex Condominium Project (Tabled on 2.9.23) -

Pattison recused herself as announced by Chair Buszka.

Chair Buszka addressed that while this item is not a public hearing, however, he would allow some public comments.

Tracey Shafroth, Water St. – Would like the road entrance/exit to stay on Ferry St. and is concerned with the Wiley option, also would like for the City to do something really special with the 16 acres.

John Tempas, Civil Engineers from Driesenga & Associates – Wanted to state that eliminating the Wiley Road access would be fine with them, but that the City was in favor of it. He stated that the phasing was included in the plans, and for 1 and 2 the entire EGLE wetland issue was clearly marked, but the EGLE permit for phase 1 is not needed at this point because there is no strong timeline set. He also stated that all permits would be in hand prior to grading and easily not an issue.

Chair Buszka asked how they plan to segregate the stormwater areas shown in phase 1, and the excavated wetland in phase 2 area?

John stated that stormwater is collected in the north basin and phase 1 will be collected and directed north and will not affect the other area.

Chair Buszka ended his ask for public comment and asked for a staff comment from the Interim Planning and Zoning Administrator.

Tricia Anderson spoke, stating that the applicant has been in process for a while, and has been checking the boxes prior to bringing to the Planning Commission. She said this time they have addressed the listed concerns that have been compiled in the reports and explored special studies for going forward with the development. The table created and presented in the agenda packet, which is long, states most items are to where the standards for conditional approval have been met. To further clarification as to the possible Wiley Road access shown in the plan, she explained how municipalities look for redundancy and frontage where roads can go to allow as much access to emergency services. In addition, she added that the legal aspects and process take time regarding the right-of-way, but the City Attorney, City Staff and Council will weigh all options. She spoke to the other requests met such as finally providing sidewalks on the plan, meeting with KLWSA and the City for available water and sewer capacity and there are no anticipated issues with capacity. Ms. Anderson reminded the Commission that at the last meeting, they recommended that staff consult with professionals on the Phase 1 environmental and with the traffic study. Prein & Newhof reviewed these reports and gave comments and recommendations stating to retain their own environmental consultant to review listed concerns and soil tests prior to City Council review. Stormwater maintenance agreement requested, and clarified by John, that the County Drain Commission will have jurisdiction as Allegan County requires a 433-agreement making it a County Drain District. With this, all infrastructure is protected through the Drain Commission and will be maintained by the HOA. She concluded by stating support for a favorable recommendation to City Council is with the set listed conditions provided in her memo, so

the applicant is made responsible for detailed conditions set and the Zoning Administrator will follow up to track the conditions set are being met.

O'Malley – Questioning the traffic study, Ms. Anderson sent Commission an updated traffic study.

Freeman – Thanked Tricia for the traffic study and checked if the drainage space was owned by them.

Heneghan – Thanked Tricia's work, and asked for clarification on the EGLE permitting process. She also stated concerns about the Wiley Rd access.

Mr. Tempas explained that if they got the permit now, without having the set plan ready to work, the permit would expire before the project is ready for work. He also stated, at this point, the wetland permit is premature and will be in hand once City Council approves the plan, and it is standard procedure to have several conditions with a project of this size.

Seabert – Stated C100 wetland area concerns. He also is not in favor of the Wiley Rd access, and mentioned the paper misquoted them and that this property is important and need to have the community concerns addressed.

Balmer- Regarding condition item number 5 he asked for clarification from Ms. Anderson, and also pointed out that the contamination on the land was addressed in number 4, and that in the 13 conditions listed they do not require the Wiley RD access to be secure. He also prepared motions with conditions listed for the Commission to approve or not.

Tricia – Wiley Rd should be a condition, and this may have been an oversight. The Planning Commission can decide what that condition may be, and for condition item 5, the developer has not applied for the permit due to not knowing the exact location of the units there, but we don't know where they are at in the process with EGLE.

Chair Buszka – Likes Wiley Rd connection but knows the City will have to make some changes. He also would like as-builts provided when completed for wastewater, streets, sidewalks, and water from a profession engineer. Also think it's smart if they consider the wiring of the 220 in garages. Also, acknowledged lease duration of long-term, and would like work-force housing addressed.

Motion by Balmer, seconded by Seabert, that the Planning Commission approve the recommendation of the Forest Gate preliminary condominium plan to the Douglas City Council, subject to the following conditions: 1-13 as outlined in the Williams & Works memorandum dated 4-13-23 as it pertains to the Forest Gate condominium preliminary approval.

1. The applicant shall work with the Allegan County Drain Commission to satisfy stormwater management design standards and receive approval, prior to the City Council's review of the final condominium plan.

2. Upon approval of the final condominium plan by the City Council, the applicant shall work with the Allegan County Drain Commission to determine the type of stormwater maintenance agreement that will be appropriate for the proposed development. The agreement must be drafted and reviewed by the appropriate attorney and engineer (depending on the type of agreement) and recorded prior to the issuance of any zoning compliance permits for any of the condominium units.

3. Upon approval of the final condominium plan by the City Council, the applicant shall finalize a Master Deed document and other condominium documents to the satisfaction of the City Attorney prior to recording with the Allegan County Register of Deeds. The recorded copy shall be provided to the City prior to the issuance of any zoning compliance permits for any of the condominium units.

4. The applicant shall address any recommendations made by the City's environmental consultant with regard to contamination issues with the subject site, prior to the City Council's review of the final condominium plan.

5. Upon approval of the final condominium plan by the City Council, the applicant shall secure any and all permits and approvals from EGLE or any other federal, state, or local agency, prior to any site prep, grading, or construction of infrastructure on the site.

6. The applicant shall revise the plan set to make the following changes, prior to City Council's review of the final condominium plan: a. The applicant shall place all tree plantings with Ferry Street

frontage on the back of the right-of-way line on private property to minimize the potential for negative impact on underground utilities within the right-of-way. b. The applicant shall provide a note on Sheet C-101 to include "THE DEVELOPER SHALL WORK WITH THE CITY" in the note that addresses the design template for future Ferry St. modifications. c. The applicant shall identify the appropriate agencies or parties to whom all easements are dedicated to. d. The applicant shall provide dimensions for all on-street parking spaces.

7. Upon the City Council's approval of the final condominium plan, the developer shall work with the City Engineer to meet the minimum standards for road design, inspection, approval, and maintenance for all proposed public streets. No construction of road infrastructure is permitted until construction plans are approved by City Engineer.

8. The applicant shall install "No Parking" signs in accordance with Sheet C-101 during the road construction process, and prior to the issuance of any zoning compliance permits for the condominium units.

9. The applicant shall provide a construction timeline satisfactory to the City Engineer's recommendations, pertaining to the sequence of grading, installation of storm and utility infrastructure, sidewalks and pedestrian pathways, and landscaping, prior to the City Council's review of the final condominium plan.

10. The applicant shall address any and all items noted in the City Engineer's review letter dated April 11, 2023.

11. Upon approval of the final condominium plan by the City Council, the developer shall pay all fees and escrows associated with required permits related to utilities, construction plan review, and inspections.

12. The applicant shall adhere to and address any and all recommendations made by the Saugatuck-Douglas Fire Department.

13. The applicant shall work with the Planning & Zoning Administrator and Assessor to apply for a boundary change in accordance with Sheet V-105, prior to the City Council's review of the final condominium plan.

14. That the applicant shall continue to work with the city to either secure the city owned property along the western edge of the development needed to construct a public access road that connects to Wiley road, or receive city council approval to construct a private road that that connects to Wiley road, or do as the city the council finds appropriate.

With the exception of number 7 being added to per the chair's comments that the final construction details for the water, waste water, street, sidewalk, and stormwater are to be documented in a as-built document yield by a professional engineer. – Motion carried by unanimous roll call vote.

Commissioner Pattison returned to the table.

- B. **200 Center Street / Ordinance Amendment Discussion** – Tricia Anderson led the discussion stating the conclusion is that the parcel's PUD zoning designation as depicted on the 2009 zoning map was a mapping error. The actual zoning is C-1 and will be updated on the zoning map sometime in the near future. The direction from Commission was for the Planning & Zoning Administrator to revise the language to take out the residential part B and leave as special land use.
- C. **Draft Sign Ordinance – Discussion item** – Tricia Anderson discussed that if the Planning Commission is largely accepting of the revised draft, I she will incorporate further additions as advised by the Planning Commission and send it to the City Attorney for review. At the May meeting, the Planning Commission can then hold a public hearing and make a formal recommendation to the City Council for final approval. Discussion of clarifying a few areas of revocable signs and moving forward with the draft was the consensus.

7. REPORTS.

- A. Planning and Zoning Administrator Report – Tricia Anderson was sorry she could not make it and mentioned the new Planning & Zoning Admin starting soon, which she will work with and help get all set up.
- B. Planning Commissioner Remarks – Heneghan – would like the packets sent out earlier. Pattison and Buszka agreed. Chair Buszka also mentioned that next meeting would have the By-Laws amendment. Seabert – Mentioned that at the May 1st City Council meeting the new Planning Admin will be present. Also needs the agenda packet earlier, with a full week and weekend to look at. The Commission was in agreement. Balmer – informed the members about the upcoming joint meeting for City Council and Brownfield regarding affordable housing with Ryan Kilpatrick.

8. PUBLIC COMMUNICATION – VERBAL –

Diana Decker – Was present at Saugatuck’s meeting with Ryan Kilpatrick, and good discussion of grant money with the state’s new passing of housing bills.

9. ADJOURNMENT –

Motion by Seabert, seconded by Balmer, to adjourn.

Submitted by Laura Kasper, Deputy Clerk