



**THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION MEETING
THURSDAY, DECEMBER 08, 2022 AT 7:00 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. CALL TO ORDER

Meeting called to order by Chair Buszka at 7:00 pm

2. ROLL CALL

A. Approval of Agenda (additions/changes/deletions)

Approval of December 8, 2022 Agenda.

Motion made by Commissioner Balmer, Seconded by Vice-Chair Pattison.

Voting Yea: Secretary Heneghan, Commissioner OMalley, Commissioner Seabert, Chair Buszka, Vice-Chair Pattison, Commissioner Freeman, Commissioner Balmer

B. Approval of Minutes (additions/changes/deletions)

Motion to approve; December 8, 2022 Agenda & October 19, 2022 Minutes. (Roll Call Vote)

Motion made by Vice-Chair Pattison, Seconded by Commissioner Freeman.

Voting Yea: Secretary Heneghan, Commissioner OMalley, Commissioner Seabert, Chair Buszka, Vice-Chair Pattison, Commissioner Freeman, Commissioner Balmer

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

Olaf Huebner, St Peter Dr. distributed letters to the commissioners related to concerns that he and his neighbors have with the proposed Centre Collective development. He requested to view the plans at city hall but did not see the application, requested commission be clear on what will be done.

Tracy Shaffroth, Water St. requested the letters presented by Mr. Heubner be placed on the website.

4. PUBLIC COMMUNICATION - WRITTEN

Attainable housing letter received by Dr. Travis, Saugatuck Public Schools

A. Attainable Housing - Dr. Travis, Saugatuck Public Schools Superintendent

5. NEW BUSINESS

- A. Public Hearing – Centre Collective Mixed-Use Development with First-Floor Residential - 324 W Center Street, Site Plan Review/Special Land Use Request

-Motion to Open Public Hearing (Roll Call Vote)

Motion by Seabert, Second by Pattison.

Balmer, Freeman, Heneghan, O'Malley, Pattison, Seabert, Buszka (Yes)

a. Applicant Presentation

Ryan Kilpatrick, Executive Director of Housing Next for the last five years and also represents Flywheel Consulting, a consulting firm that serves municipalities, nonprofits, and for profit developers. He spoke on behalf of the applicant, Jeff Kerr. The northern part of the development will include 3.4 acres with up to 20 residential lots that have all been designed to satisfy the minimum criteria of the zoning ordinance. The southern portion is 3.4 acres and is planned for vertical mixed use with commercial and residential. Most residential will be on the second floor with some on the ground level, these have been designed to satisfy both standards of the C-1 Village Center Standards, and special use standards of Section 26.13 as it relates to a residential on the ground floor. The development team is interested in pursuing a share of these units that would be attainable for year round residents in the community. One of the ways that this is possible is by pursuing partnership with both State and Local entities to ensure that we have the financing in place to reduce the overall cost of the project.

b. Public Comments (limit 3 minutes each, please)

Tracey Shafroth, Water St. expressed she was having a difficult time hearing.

c. Staff Remarks

Tricia Anderson, City Planner – Mr. Kerr has submitted an application for site plan review and special land use approval for a commercial mixed-use development and ground floor residential on the southernly 3.04 acres of the parcel located at 324 West Center Street. The subject site is generally located just west of the Center St and Blue Star Hwy intersection on the northside of Center St and is zoned C-1 Village Center District. Ms. Anderson presented the highlights of her review memorandum. She indicated that several of the items noted in her memorandum had already been addressed by the applicant, including the desire to see truck turning templates, barrier free spaces within the carports, and removal of trees from the landscape plan along the north property line and instead place them on the residential site condo plan. She added that the traffic impact study has been updated and has some recommendations for improvements to mitigate the additional traffic volumes, which the applicant has acknowledged.

Recommendation: The Planning Commission should carefully consider the facts presented in Ms. Anderson's Memorandum. In her view the plan is approvable with the following conditions:

1. The applicant shall address all items outlined in the City Engineer's memorandum dated 11/30/22.
2. The applicant shall address any and all items required by the Fire Department.
3. The applicant shall provide the location of the support posts within a carport to demonstrate the width will not be diminished for any stall.

4. The applicant shall consider creating barrier-free spaces within the carports.
5. The applicant shall revise the landscape plan to remove the trees shown along the northern boundary of the site, and instead provide them as part of the landscaping plan for the site condominium development to the north.
6. The applicant shall work with the City's Department of Public Works to determine the time frame for implementation of the TIS recommendations as it pertains to the signal timing and the construction of a right-turn taper lane.
7. The applicant shall provide sample floor plans with minimum square footage for each residential unit type, whether they be studio, one bedroom, or two bedroom, before any issuance of building permits.
8. All roof areas to be occupied shall comply with Section 10.03(i)
9. The applicant shall consider an opaque privacy fence to be placed along the west property line in place of the chain link.
10. The applicant shall consider requesting additional garbage pick-up to avoid overflowing dumpsters on site.
11. The applicant shall consider installing electrical outlets within the carports for future electric vehicle charging.
12. The applicant shall adhere to Section 26.34 as it pertains to potential noise generated from the occupied roof areas.
13. The applicant shall revise the architectural drawings to provide a depiction of the roof height computation that shows compliance with the roof pitch parameters outlined in Section 10.02.D

Motion to Close Public Hearing, Recommend to City Council (Roll Call Vote)

Motion made by Commissioner Seabert, Seconded by Vice-Chair Pattison.

Voting Yea: Secretary Heneghan, Commissioner O'Malley, Commissioner Seabert, Chair Buszka, Vice-Chair Pattison, Commissioner Freeman, Commissioner Balmer

Motion to approve the site plan and special use permit for the mixed-use development located at 324 Center St for plans last revised on November 11, 2022, with the conditions stated above.

Motion by Balmer second by Pattison.

(Yes) Balmer, O'Malley, Freeman, Pattison, Buszka (No) Seabert, Heneghan

Motion carried 5 - 2

- B. Public Hearing - 324 W Center Street, Preliminary Site Condominium Review for a 20-Unit Single Family Residential Development

-Motion to Open Public Hearing (Roll Call Vote)

Motion by Seabert, second by O'Malley. Motion carried by roll call vote

- a. Applicant Presentation

Ryan Kilpatrick representing the applicant stated this would be a 20-unit single family site condominium, designed to satisfy the minimum requirements in the R-4, Harbor Residential zoning district.. He added that open space is provided, along with sidewalks and landscaping.

b. Public Comments (limit 3 minutes each, please)

No public comments received.

c. Staff Remarks

Ms. Anderson provided the highlights of her memorandum and added that the property is under the same ownership as the parcel with the proposed mixed-use development. The application is for review of the preliminary plan for a 20-unit single-family residential site condominium development on the northern 6.9 acres of 324 W Center St. The site is generally located on the north side of W Center St, between the intersections of North Ferry St / W Center St, and North Blue Star Hwy / W Center St. The current zoning of the subject site is R-4, Harbor Residential, which allows single-family homes by right. She added that the applicant is proposing public streets, storm water management facilities, street trees and sidewalks along all public streets. The Planning Commission should listen carefully to comments from the applicant and the public. Ms. Anderson's recommendation for the Planning Commission is to forward a favorable recommendation to the City Council for the review of the final site condominium plan subject to the following conditions:

1. The applicant shall revise the landscaping plan to provide street trees along St Peters Dr. in accordance with Section 21.01(5)(c) for review and approval by the Zoning Administrator.
2. The applicant shall address all conditions required by the City Engineer in the memorandum dated 11/28/22.
3. The applicant shall request that the City Fire Marshal update his July 8th 2022 report to reflect comments on the plan revision dated 11/11/2022 and shall comply with the requirements of the City's Fire Marshal.
4. The applicant shall revise the landscaping plan to place trees along the south property line (previously shown on the C-1 Mixed-Use development plan).
5. The applicant shall maintain minimum separation distances of driveways in accordance with Section 19.05.
6. The applicant shall consider incorporating restrictions on short-term rentals in the Master Deed of the Site Condo.
7. It is recommended that City Council consider requiring the construction of a sidewalk on the south side of Westshore Ct. to the western property line if it is the City's intent to install a sidewalk along Westshore St to Ferry St. in the future.
8. The applicant shall revise the landscape plan to add plantings at the top of the slope of the detention basin along the west property line.
9. The applicant shall submit a draft of the Master Deed to be reviewed by the City Attorney, prior to recordation and prior to the issuance of any building permits.

Commissioners asked about landscaping along the top slope of the detention basin. Many felt it was important to provide screening between the residential and industrial uses. Some asked about whether short-term rentals will be permitted, and encouraged the applicant to add a

provision in their master deed that would prohibit them. There was also some discussion regarding whether they can require sidewalk on Westshore Drive on the subject site's frontage. Commissioner Balmer stated that the Planning Commission can make a recommendation to Council that the sidewalk be finished if the City's goal is to add sidewalk on the remainder of Westshore Drive between Hamilton and Ferry. Seabert asked how deep the water would be in the retention pond, and the applicant added that it would be a detention pond, and the intent is for the basin to remain dry.

- Motion to Close Public Hearing, Recommend to City Council (Roll Call Vote)

Motion made by Pattison, second by Seabert to close the public hearing. Motion carried by unanimous roll call vote.

Motion by Balmer, second by O'Malley to recommend that City Council review the final site 324 W Center Street, Site Condominium Review for a 20-Unit Single Family Residential Development, subject to the conditions listed above.

Motion carried by unanimous roll call vote.

6. UNFINISHED BUSINESS

- A. 485 Ferry Street, Site Plan Review and Condominium Approval (tabled 9.21.22)
(Planning Commission Chair Buszka announced that Commissioner Pattison recused herself from any discussion regarding 485 Ferry St. project.)

a. Applicant Presentation

John Kavacchak, 850 N Walcott, Chicago, Ill. will be working alongside the owner of 485 Ferry St. The Master Plan discusses the need for full time residents and this is what the vision of this property is. Our tests came back clean on contamination, we are told there is no vapor barrier needed. We believe the design is realistically what the people want to see. The traffic study remains the same, a conversation with the school Superintendent resulted in full support of the proposal.

b. Public Comments (limit 3 minutes each, please)

No comments

c. Staff Remarks

Ms. Anderson recalled that this item was on the Sept. 21st agenda and tabled based on the number of deficiencies the applicant has. She added that the applicant has provided significantly more information on the plan, and the items requested by the Planning Commission and the public at the September 21st meeting, such as the traffic study and environmental studies, had been conducted. She indicated that the city may wish to have an outside consultant review the results of the environmental impact study and the soil gas and arsenic study to substantiate the conclusions of the applicant's consultant.

Ms. Anderson noted that the applicant has not adhered to all the "shall statements" noted within the Design Guidelines for Multifamily Development. She added that the City Attorney has confirmed that these "shall statements" within the guidelines are, in fact, requirements. The Planning Commission does not have the authority to waive the requirements of the zoning ordinance.

Ms. Anderson noted that the Planning Commission should carefully consider the facts presented in her memorandum, along with comments from the City Engineer, Fire Department, the public and applicant. She added that she is recommending that the Planning Commission again table this item until the applicant is able to produce a plan that adheres to the requirements of the multifamily design guidelines.

d. Commissioner Comments

The Planning Commission had concerns with an area where the contamination plume intersected with one of the building envelopes, and were confused by the recommendation that no vapor barriers or mitigation were recommended. Many added that they were generally satisfied with the layout, however, they do not have the authority to ignore the zoning ordinance requirements. There were some concerns about parking as well. Some noted that if a boat was parked in the garage, there would not be “guest parking” in the driveway. The Planning Commission generally agreed that the applicant should revise the plan to meet the ordinance requirements.

Motion by O’Malley, second by Seabert, to table the item until such time that the applicant provides a plan that meets the multifamily design guidelines Motion carried by unanimous roll call vote.

7. REPORTS

- A. Planning and Zoning Administrator Report -None
- B. Planning Commissioner Remarks (limit 3 minutes each, please) -None

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

9. ADJOURNMENT at 11:07 pm by gavel of the chair.

Please Note – The City of the Village of Douglas (the “City”) is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Pamela Aalderink, City Clerk, at (269) 857-1438, or clerk@douglasmi.gov to allow the City to make reasonable accommodations for those persons. CITY OF THE VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN