



**Planning Commission Meeting  
March 17, 2022 City Hall  
102 Butler Street, Saugatuck, MI  
7:00 PM**

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1. **Call to Order/Roll Call:**
2. **Approval of Agenda:**
3. **Approval of Minutes: February 17, 2022**
4. **Public Comment on Agenda Items: Limit 3 minutes**
5. **New Business:**
  - a. **Presentation and Q&A with David Jirousek**
6. **Old Business:**
  - a. **Special land use and site plan review for 449 Water and 121 Mary Street tabled from February 17, 2022.**
7. **Communications:**
8. **Reports of Officers and Committees:**
9. **Public Comments: Limit 3 minutes**
10. **Adjournment**

**\*Public Hearing Procedure**

- A. Hearing is called to order by the Chair
- B. Summary by the Zoning Administrator
- C. Presentation by the Applicant
- D. Public comment regarding the application
  - 1) Participants shall identify themselves by name and address
  - 2) Comments/Questions shall be addressed to the Chair
  - 3) Comments/Questions shall be limited to **five** minutes
  1. Supporting comments (audience and letters)
  2. Opposing comments (audience and letters)
  3. General comments (audience and letters)
  4. Repeat comment opportunity (Supporting, Opposing, General)
- E. Public comment portion closed by the Chair
- F. Commission deliberation
- G. Commission action



## Minutes Planning Commission Meeting- PROPOSED

February 17th, 2022, City Hall  
102 Butler Street, Saugatuck, MI  
7:00 PM

### Call to Order:

The meeting was called to order by Chairperson Fox at 7:01 p.m.

### Attendance:

Present: Broeker, Crawford, Fox, Gardner, Gaunt & Heriford.

Absent: Manns was excused.

Others Present: Zoning Administrator Osman.

### Approval of Minutes from January 20, 2022:

*Motion by Gardner, second by Heriford, to approve the minutes from the 20<sup>th</sup> of January meeting. The motion carried 6-0 via voice vote.*

**Public Comment on Agenda Items:** None.

**Old Business:** None.

### New Business:

#### **A. 449 Water St. and 121 Mary St:**

WPBG, LLC has applied to extend Wicks Park Bar and Grille into the existing structure on the same parcel with the address of 121 Mary Street and 449 WATER ST 435, connect the two buildings with a breezeway and establish outdoor seating at the rear of 121 Mary Street. This property is located in the WSE-WATER E C2 Zone District.

Summary: The summary of application was given by the Zoning Administrator Osman.

Presentation: Christine Murphy-Pierce owner of Wicks Park Bar & Grill provided her presentation regarding her application to modify 121 Mary Street and 449 Water Street.

#### Public Comments:

- Catherine Simon the owner of Maplewood Hotel spoke in opposition to WPBG, LLC's application.
- Jane Verplank the owner of The Inn of Saugatuck spoke in opposition to WPBG, LLC's application.
- Russ Gardner read into record a letter of concern from Brady Bailiff the owner of The Ivy LLC.
- Dan Fox noted a letter from Catherine Simon will not be read into record but remains a matter of record.
- Applicant Christine Murphy Pierce made comment to the Planning Commission and stated her main goal is to improve the land and is open to working with whomever to proceed.
- Jane Verplank owner of The Inn of Saugatuck asked the Planning Commission not to rule on the matter until a later date.
- Catherine Simon the owner of Maplewood Hotel asked the Planning Commission to table this item until a later date.

#### Deliberation:

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453  
Phone: 269-857-2603 • Website: [www.saugatuckcity.com](http://www.saugatuckcity.com)

- The Planning Commission discussed needing an improved site plan and would like the Saugatuck Township Fire Department to review the property prior to next meeting.

**Commission Action:**

*Motion made by Gardner, second by Gaunt, to table for review by the Fire Department, more detailed site plan and what the fence will look like. The motion carried 6-0 via vote.*

**Communications:**

- Zoning Administrator informed the Planning Commission that she has scheduled David Jirousek in-person during the March 17, 2022, meeting to speak about the process of planning for Planning Commission's master planning.

**Reports of Officers and Committees:** None

**Public Comments:**

- Jane Verplank owner of The Inn of Saugatuck suggested there be a moratorium on expansion of businesses until the City parking issue is addressed. She noted the City needs a Code enforcement official and thanked the Planning Commission for tabling the item at hand.

**Adjournment:** Chairperson Fox adjourned at 7:59 p.m.

*Motion by Gaunt, second by Gardner, to adjourn. The motion carried 6-0 via voice vote.*



## MEMORANDUM

**TO:** Planning Commission  
City of Saugatuck

**FROM:** Cindy Osman, Planning and Zoning

**DATE:** February 17, 2022, Tabled to March 17, 2022 **CHANGES FROM FEBRUARY 17 IN CAPITAL RED LETTERS, ~~omitted language strike through~~**

**RE:** 449 WATER ST 435– extend bar into existing structure on the same parcel with address at 121 Mary Street

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WPBG, LLC has applied to extend Wicks Park Bar and Grille into the existing structure on the same parcel with the address of 121 Mary Street and 449 WATER ST 435, ~~connect the two buildings with a breezeway and~~ establish outdoor seating at the rear of 121 Mary Street. This property is located in the WSE-WATER E C2 Zone District. The purpose of this memo is to provide a review of the standards for this site plan review and special land use permit, and how the ordinance relates to this application.

**NOTE:** This project is also subject to review by the Historic District Commission. The February HDC meeting was cancelled due to lack of a quorum. **THE HDC APPROVED THE APPLICATION AS REVISED WITH A 10 FOOT HIGH FENCE ON MARCH 3, 2022**

**Background:** The City of Saugatuck requires a public hearing, site plan review, and a special land use permit by the Planning Commission for all expansions of restaurants and outdoor seating. 154.060 and 154.080. The canopy that extends over the sidewalk is subject to a revocable license that expired on December 31, 2019. This license will be required to be extended or renewed. **IN PROCESS -**

**Project Description:** The applicant proposes to expand food and alcohol service to the small house on the same parcel, ~~square off the front of the house, and attach the two buildings with a breezeway.~~ **THE APPLICANT NOW INTENDS TO ENCLOSE THE BACK YARD WITH A TEN FOOT HIGH FENCE. THIS IS BASED ON THE FOLLOWING SECTION FROM THE ZONING ORDINANCE:**

**(4) Fences located within a rear or side yard shall not exceed six feet in height measured from the surface of the ground, unless as part of an approved site plan, in which case the Planning Commission may approve fences up to ten feet in height.**

**Standards for Approval:** The standards of Section 154.064 for a formal site plan review will apply. These standards are as follows:

*(A) All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings. The site will be so developed as not to impede the normal and orderly development or improvement of*

surrounding property for uses permitted in this chapter.

**Comment:** The topography is not an issue, and the lot coverage meets the zone district requirements. There will be no impediments to development of adjoining properties. Therefore, the Planning Commission may find that this standard is met.

(B) *The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter.*

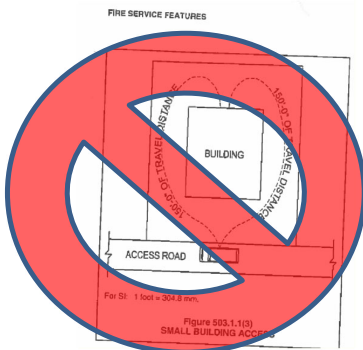
**Comment:** It appears that there will not be changes to landscaping, but the applicant states that more landscaping will be added. Therefore, Planning Commission may find that this standard is met. **AT THE HDC MEETING THE APPLICANT STATED THAT THEY WOULD ENCOURAGE IVY TO CLIMB UP ON THE FENCE.**

(C) *The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, to accomplish these purposes.*

**Comment:** There will not be any dwelling units therein. The applicant says the fence will be updated; therefore, Planning Commission may find that this standard is met. **THE APPLICANT HAS COMMITTED TO A SOLID BOARD CEDAR FENCE IN A HORIZONTAL PATTERN.**

(D) *All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department.*

**Comment:** There will be access from Lucy Street and access from Water Street. This diagram shows only one street access and is from the International Fire Code: **THIS DIAGRAM IS INACCURATE AND, IN ANY EVENT, THE CONNECTING BREEZEWAY HAS BEEN ELIMINATED FOR BETTER ACCESS.** Therefore, the Planning Commission may find that this standard is met.



*There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic. All federal, state and local barrier free requirements shall be met.*

**Comment:** There will be no vehicular circulation system within the site. Pedestrian circulation will be from the existing public sidewalks. Therefore, Planning Commission may find that this standard is met.

(E) *The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern serving adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way*

equal to that specified in the city's land use plan.

**Comment:** There will be no streets on the site, therefore, Planning Commission may find that this standard is met.

(F) All streets shall be developed in accordance with city specifications, unless developed as a private road.

**Comment:** Not applicable.

(G) Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems.

**Comment:** There will be no additional paving and surface water drains to the storm drain in the street. Therefore, the Planning Commission may find that this standard is met. **THE APPLICANT HAS CLARIFIED THAT ALL THE CONCRETE BETWEEN THE TWO BUILDING WILL BE REPLACED, AND THE AREA BEHIND 121 MARY WILL BE CONCRETE. THERE SHOULD BE A CONDITION THAT THE WATER WILL SHEET DRAIN TO THE STREET OR INSTALL A CATCH BASIN AND CONNECT TO STORM SEWER. THE CITY ENGINEER CAN WEIGH IN ON THIS WHEN THE TIME COMES.**

(H) All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height. (See §§ [154.142](#) through [154.144](#)).

**Comment:** There will be no change to the existing screening delivery and loading area or trash area. **THE BROKEN FENCE AND GATE WILL BE REPLACED WITH FENCING TO MATCH IN STYLE THE 10 FOOT FENCE.** The Planning Commission may find that this standard is met.

(I) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.

**Comment:** The lighting fixtures shown in the application are downlights and do not flash or blink. Therefore, Planning Commission may find that this standard is met.

(J) In approving the site plan, the Planning Commission may recommend that a bond or other financial guarantee of ample sum be furnished by the developer to ensure compliance for such requirements as drives, walks, utilities, parking, landscaping and the like (see § [154.173](#)).

**Comment:** The project is small enough in nature that staff does not recommend a bond requirement for this project.

**SPECIAL LAND USE.** A use of land whose characteristics may create nuisance-like impact on adjoining lands unless carefully sited according to standards established in this chapter (see §§ [154.080](#) through [154.092](#)). Approval for establishing a special land use is indicated by issuance of a special land use permit.

**Standards for Approval:** The standards of Section 154.082 for a **special land use** will apply. These standards are as follows:

## 154.082 STANDARDS.

(A) Before any special land use permit is granted, the Planning Commission shall make findings of fact based upon competent evidence certifying compliance with the specific regulations governing individual special land uses and, in addition, ensure that the following general standards have been met. Each proposed special land use shall:

- (1) *In location, size, height, and intensity of the principal and/or accessory operations, be compatible with the size, type and kind of buildings, uses and structures in the vicinity and on adjacent property;*

**Comment:** The location, size and height **EXCEPT THE FENCE** will not be materially altered. The intensity of the principal operations will be expanded. The Planning Commission may wish to discuss how it is or is not compatible with the uses in the vicinity and on adjacent property keeping in mind that they may be a different zone district.

- (2) *Be consistent with and promote the intent and purpose of this chapter;*

**Comment:**

### 154.003 PURPOSES. – (general section)

(A) The city zoning ordinance is hereby established in accordance with the needs of the city.

The text, zoning map and schedules contained herein shall constitute this chapter.

(B) The chapter is expressly adopted for the following purposes:

- (1) To protect and promote the public health, safety and welfare of the city;
- (2) To promote and implement the policies, objectives and strategies of the city land use plan;
- (3) To prevent land use conflicts through the appropriate location of compatible land uses;
- (4) To protect sensitive natural resources, including but not limited to wetlands, sand dunes, woodlands and floodplains;
- (5) To protect land values; and
- (6) To promote and provide for orderly growth.

### Water Street East:

(A) *Generally.* The Water Street East District is designed to preserve the residential flavor of the area while promoting commercial land use and development. The district is designed for an intermediate intensity and density of structures and land use. **Commercial development is desired in this district.** The district will also promote visual access to the Kalamazoo River and Lake.

### § 154.080 PURPOSE. (special land uses)

(A) In order that this chapter be flexible and reasonable, special land uses are provided for and require special land use permits.

(B) Conformance to special land use standards is required, in addition to all other requirements of this chapter. All the uses are hereby declared to possess characteristics of the unique and distinct form that each specific use shall be considered on an individual basis.

(C) The granting of a special land use permit does not negate the requirement for any other required permits.

### Design standards:

(O) *Restaurants with outdoor seating.* The inclusion of outdoor seating shall be viewed as an expansion of a commercial business and shall meet the following standards:

- (1) Tables, chairs, or similar features shall not have display signage or emblems representative of the restaurant;



(2) Outdoor seating area shall be on a fully improved surface of concrete, paver brick, or similar solid material;

(3) If alcohol is served, area shall meet all applicable local, state, and federal regulations;

(3) *Be compatible with the natural environment and conserve natural resources and energy;*

**Comment:** There will be little or no change to the natural environment, therefore, the Planning Commission may consider this standard has been met.

(4) *Be consistent with existing and future capabilities of public services and facilities affected by the proposed use;*

**Comment:** The change should not have any impact on existing and future capabilities of public services and facilities; therefore, the Planning Commission may consider this standard has been met.

(5) *Protect the public health, safety and welfare as well as the social and economic well-being of those who will use the land use or activity, residents, businesses and landowners immediately adjacent and the city as a whole;*

**Comment:** The proposed changes will meet all the requirements of the Zoning Ordinances. However, the Planning Commission may want to discuss conditions that would protect landowners immediately adjacent and the City as a whole. Some potential conditions could be limiting the hours of operation, limiting the amount of outside seating, limit live music to inside, and other conditions that the Planning Commission find appropriate.

(6) *Not create any hazards arising from storage and use of inflammable fluids;* **Comment:** There will be no flammable liquids. Therefore, the Planning Commission may find this standard met.

(7) *Not be in conflict with convenient, safe and normal vehicular and pedestrian traffic routes, flows, intersections and general character and intensity of development. In particular:*

(a) *The property shall be easily accessible to fire and police; and*

(b) *Not create or add to any hazardous traffic condition.*

**Comment:** The property will be. The project should not impact traffic at all; therefore, the Planning Commission may find that this standard is met.

(8) *Be of such a design and impact that the location and height of buildings, the location, nature and height of walls, fences and the nature and extent of landscaping on the site shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;*

**Comment:** The lot coverage, height, and locations, meet the zone district requirements. There will be no impediments to development of adjoining properties. Therefore, the Planning Commission may find that this standard is met.

(9) *That in the nature, location, size and site layout of the use, be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and characteristic groupings of uses of the district; and*

**Comment:** There will little or no change to the existing site.

(10) *That in the location, size, intensity, and site layout be such that operations will not be objectionable to nearby dwellings, by reason of noise, fumes, pollution, vibration, litter, refuse, glare or flash of lights to an extent which is greater than would be operations of any use permitted by right for*



that district within which the special land use is proposed to be located. **Comment:** The Planning Commission may want to discuss this item and consider conditions that may be imposed as noted in number 5 above.

(B) The Planning Commission shall consult the city land use plan to determine if the proposed special land use is compatible with the future planned use of surrounding property and may limit the permit so as not to conflict with future planned land use. The duration of the permit may be limited only if such use is clearly temporary in nature.

**From the master plan:**

COMMERCIAL There will continue to be four primary commercial areas within the Tri- Communities. Commercial uses in downtown Saugatuck are primarily oriented to tourists and seasonal residents. Downtown Saugatuck will continue to serve as the major center for commercial tourist activities. This should be encouraged. However, the downtown area should not be permitted to expand outside the area presently zoned for downtown commercial use.

Appropriate measures should be instituted as necessary to mitigate impacts of the city center on adjoining residential areas. Downtown Saugatuck and the City of the Village of Douglas Village Center are characterized by compact building arrangements which limit parking spaces. Parking is problematic in downtown Saugatuck and in the City of the Village of Douglas Center, especially during peak tourism months. Heavy pedestrian traffic also exacerbates parking and access problems. The buildings and parking on many properties are poorly designed, so any opportunity to improve design, safety, and function should be seized.

**Recommendation:** Staff can recommend approval to extend the bar into existing structure on the same parcel with address at 121 Mary Street with conditions. If the Planning Commission finds that the standards are met, the following motion may be used:

*I hereby move to (approve/deny) application to expand the bar at 449 Water Street into the building at 121 Mary Street as shown on the attached application with the following conditions:*

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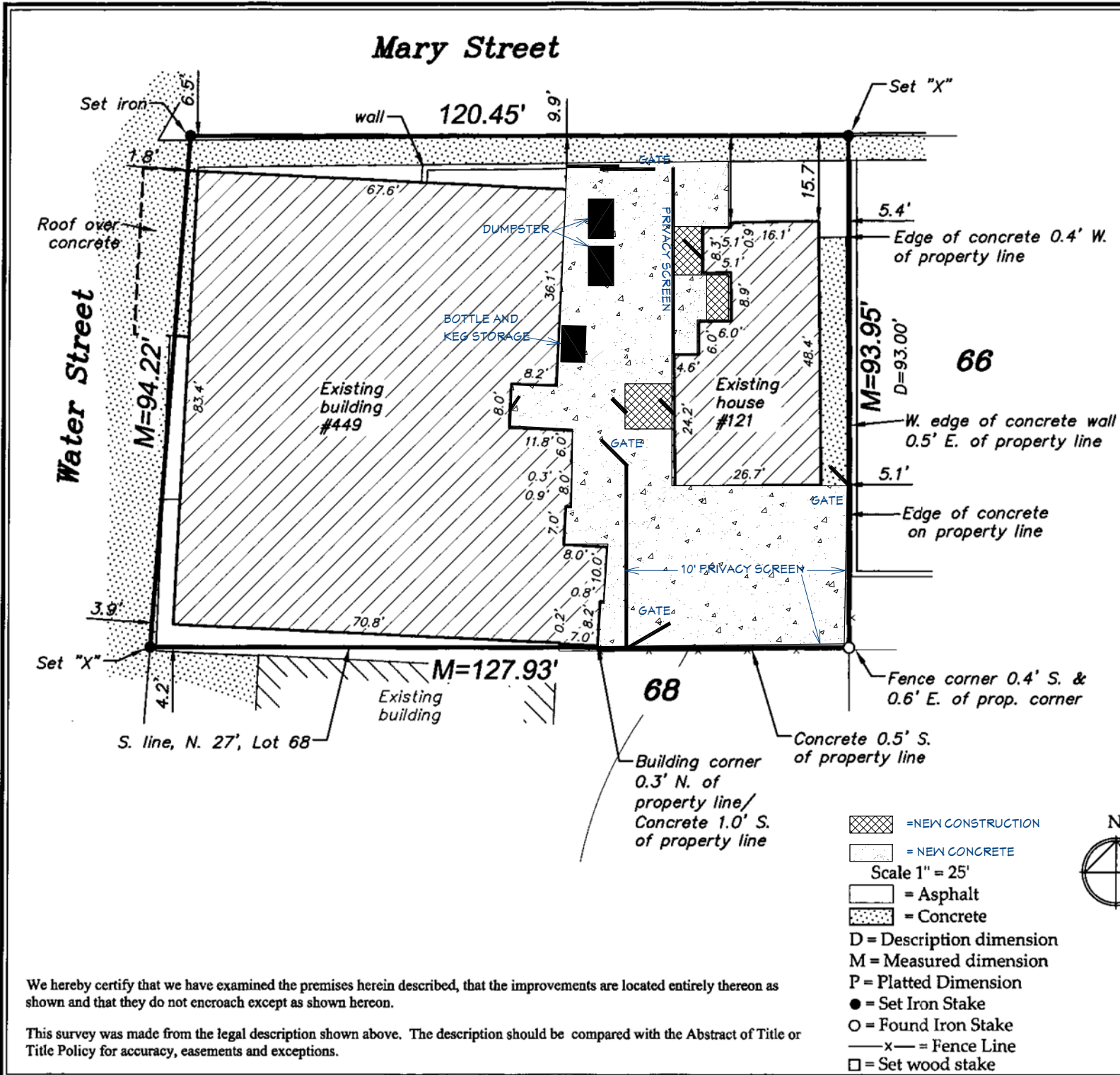
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*The above comments as discussed and the staff report are to be incorporated into the record and are adopted as part of our findings of fact.*







PREPARED FOR: Shoreline Realty – Douglas  
 Dan Shanahan  
 202 Center Street  
 P.O. Box 997  
 Douglas, MI 49406

RE: 449 Water Street

The following described premises is situated in the City of Saugatuck, County of Allegan and State of Michigan, to wit:

Lot 67 and the North 27 feet of Lot 68, Plat of Kalamazoo, now City of Saugatuck, according to the plat thereof as recorded in Liber 111 of Deeds, Page 551, Allegan County Records.

(Warranty Deed Liber 2309, Page 888)



By: *Scott A. Hendges*  
 Scott A. Hendges Licensed Professional Surveyor No. 47953

08200474 CH 07/23/08 16:18

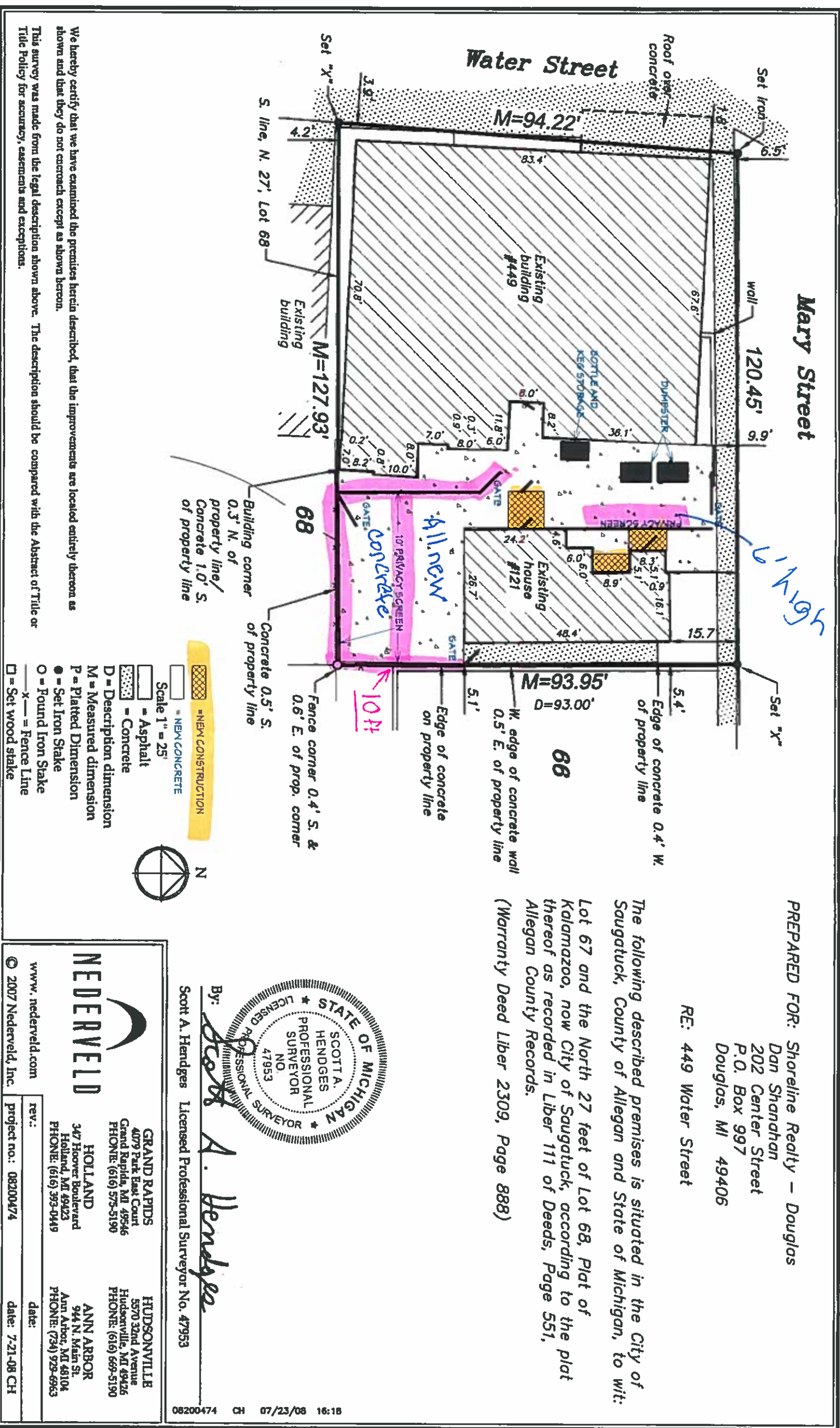
We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

- = NEW CONSTRUCTION
- = NEW CONCRETE
- = Asphalt
- = Concrete
- D = Description dimension
- M = Measured dimension
- P = Platted Dimension
- = Set Iron Stake
- = Found Iron Stake
- x— = Fence Line
- = Set wood stake



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	HOLLAND 347 Hoover Boulevard Holland, MI 49423 PHONE: (616) 393-0449	ANN ARBOR 944 N. Main St. Ann Arbor, MI 48104 PHONE: (734) 929-6963
	rev.: _____	date: _____
	project no.: 08200474	date: 7-21-08 CH



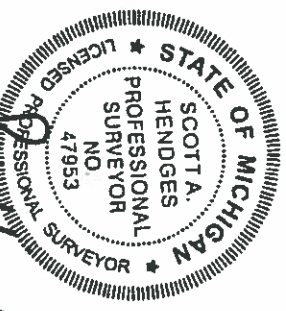
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- = NEW CONSTRUCTION
- = NEW CONCRETE
- Scale 1" = 25'
- = Asphalt
- = Concrete
- D = Description dimension
- M = Measured dimension
- P = Platted Dimension
- = Set Iron Stake
- = Found Iron Stake
- x — = Fence Line
- = Set Wood stake

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By: *Scott A. Hendges*  
 Scott A. Hendges Licensed Professional Surveyor No. 47953

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<b>GRAND RAPIDS</b> 4079 Park East Court Grand Rapids, MI 49546 PHONE: (616) 575-5190	<b>HUDSONVILLE</b> 5570 32nd Avenue Hudsonville, MI 49426 PHONE: (616) 669-5190
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rev.: \_\_\_\_\_ date: \_\_\_\_\_  
 project no.: 08200474 date: 7-21-08 CH

JOB DESCRIPTION	SHEET TITLE	SHEET NUMBER <b>1</b>
DRAWN BY:	DATE:	REVISION #:



SHEET TITLE:  
STREET SIDE  
PERSPECTIVE

PROJECT DESCRIPTION:  
THE COTTAGE  
AT WICKS PARK

DRAWINGS PROVIDED BY:  
PATRICK MURPHY  
DESIGN

DATE:

2/23/22

SCALE:

SHEET:

**A-1**





*Patrick Murphy Design*  
*It's about pride....*

SHEET TITLE:  
POST OFFICE AND  
FRONT PERSPECTIVE

PROJECT DESCRIPTION:  
THE COTTAGE  
AT WICKS PARK

DRAWINGS PROVIDED BY:  
PATRICK MURPHY  
DESIGN

DATE:

2/23/22

SCALE:

SHEET:

**A-3**







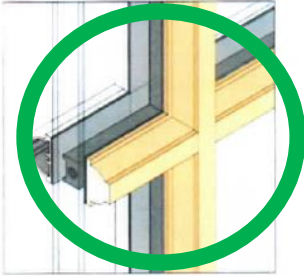
# | GD-012PT Mahogany Walnut



16

**SIMULATED-DIVIDED-LIGHT  
GRILLES WITH SPACER**

These grilles create the most authentic look of individual windowpanes. Available on Architect Series® 850 products.



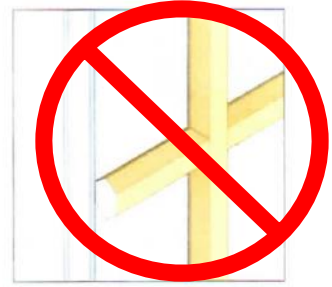
**SIMULATED-DIVIDED-LIGHT  
GRILLES**

These grilles are permanently bonded to the inside and outside of your window glass. Available on Pella® 450 Series products.



**REMOVABLE ROOMSIDE  
WOOD GRILLES**

Available on Architect Series 850 and Pella 450 Series products, these grilles are attached to the inside of your window with latches, so they can be removed to make cleaning the glass easier.



**SIMULATED-DIVIDED-LIGHT  
GRILLES WITH SPACER**

These grilles create the most authentic look of individual windowpanes. Available on Architect Series® 850 products.



**SIMULATED-DIVIDED-LIGHT  
GRILLES**

These grilles are permanently bonded to the inside and outside of your window glass. Available on Pella® 450 Series products.



**REMOVABLE ROOMSIDE  
WOOD GRILLES**

Available on Architect Series 850 and Pella 450 Series products, these grilles are attached to the inside of your window with latches, so they can be removed to make cleaning the glass easier.

