



Planning Commission Meeting Minutes

The Planning Commission met for a Regular Committee Meeting, July 20, 2023, at
7:00 p.m. at City Hall
102 Butler St., Saugatuck, MI 49453.

1. Call to Order/Attendance:

The meeting was called to order by Chair Manns at 7:00 p.m.

Present: Chairman Manns, Vice-Chair Broeker, Commission members: Anderson, Bagierek, Gardner, Gaunt, LaChey.

Absent: None.

Others Present: Director of Planning, Zoning, and Project Management Ryan Cummins, Deputy Clerk Sara Williams.

2. Approval of Agenda:

Motion by Gaunt, second by Broeker to approve the agenda as presented for July 20, 2023. Upon voice vote, motion carried unanimously.

3. Approval of Minutes:

Motion by Gardner, second by Anderson to approve the minutes as presented for regular meeting June 15, 2023. Upon voice vote, motion carried unanimously.

4. Public Comment on Agenda Items: None.

5. Old Business:

A. Short-Term Rental Task Force – Verbal Update

Short-Term Rental Taskforce Chairwoman Anderson gave an update on the STR Rental Task Force. They have had two meetings since the last Planning Commission meeting. The meeting on July 6th focused a lot on the data McKenna had pulled together for their review regarding home value trends and STR trends. They have been looking at maps of where STR's fall within the City. A chunk of the sixth meeting was spent discussing the survey that went out, getting feedback from all of the taskforce members on what they wanted to include, and then talking about what the town hall may look like. Anderson reminded the taskforce that the survey was going out, that it has been added to the website, and that the town hall was scheduled for Tuesday at the High School. Ryan Cummins worked on a postcard that should be arriving to residents either over the weekend or early next week. There was also an article in the

Commercial Record today. At today's meeting, they went over some more data, and they are really trying to get their heads wrapped around how many parcels, dwelling units, and STR's are in each of the zones. She said that McKenna did a great job of pulling together different maps and a chart that they can break down by zone.

Zoning Administrator Cummins said that McKenna provided some additional data on how the gap between what you can rent a short-term rental for versus what the cost would be to purchase the property, what you are paying in taxes, and other estimated expenses that would cost to operate a short-term rental and take the feedback from the short-term rental agents that were present and how many days you could actually expect at low rates. They ran some analysis and they're getting to a point where the homes are just more expensive. It is more difficult to actually make your money on it and make it if you're going to do it just for that purpose.

Chair Anderson said that in the last couple of years it has been harder to make money on STR's, especially people who have just bought. They spent some time talking about what objectives they would recommend to Planning and City Council to guide the discussion around any changes that they would consider to short-term rentals. They will have that information and feedback at the town hall and people can weigh in on that. They are pretty much done with the data gathering and analysis other than the survey and Town Hall which she considers more of that in the engagement. By early August, this survey will close. By mid-August, they should really have a good sense of all of the input and can start framing some of the recommendations.

6. New Business:

A. 149 Griffith – Site Plan Review

The applicant has applied to construct a single-level walk-in refrigerator/freezer attached to the principal restaurant building, new fencing, and a replacement deck. Privacy fences and a gate are proposed to screen the rear of the property, and lower fences are proposed for the front of the building. The purpose of this memo is to provide a compliance review related to all applicable zoning standards and requirements and to assist the Planning Commission with developing findings of fact related to the request.

Chris Nelson from Nelson Architects was there to present the application. He said that this was an existing restaurant that they want to rehab. The owners Alison Maxwell and her husband Matt Bush, have two other restaurants that they've done this same kind of thing to one in Plainwell and one down in Mattawan. He said that there is a giant two-story walk-in freezer cooler in the backyard that is dilapidated. They would like to replace it with a single-story, walk-in cooler and essentially tie it into where the garage is right now, and the garage space will be turned into a kitchen prep area. They would like to screen it off from the street, so the cooler isn't visible, and extend the existing fence that is there now and install a gate. The deck in the back is an existing deck that was rotting and falling apart so they plan to replace that with the same type of deck. The outdoor restaurant area is like a little makeshift tiki bar area that they will either rehab or replace with the same thing. Seating outside will be the same as it was before. He has mentioned to David Jirousek that one of the things that they have to do in their full set of drawings for the rehab of the building is an occupancy count. He said that it was

pointed out to him that they could easily have a lot more people occupy the space, but the owner will be limiting that because they cannot run that many people through their small kitchen. When they submit for the permit, they will include that information. The owner's submitted to the Historic District Commission twice because they changed the fence in the front yard after the fact, so they came back a second time to get that approved. They will also add a privacy fence in the back just extending to the existing fence. He is here to answer any questions that the Commission has.

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 walk-in refrigerator/freezer and fencing allows for reasonable expansion of, and improvement to, the restaurant. The six (6) foot fence/gate will primarily screen the freezer, but the top will be visible. The proposed site development is not anticipated to impact nearby properties negatively.

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: The rear yard landscaping is not proposed to be impacted. However, the details of the rear yard use for activities or dining are not clear.

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: Existing and proposed fencing will provide reasonable screening of the exterior equipment, walk-in refrigerator/freezer, dumpster, and outdoor area.

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: The Fire Department must review the site layout regarding site access and the ability to respond to emergencies.

E. 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: Not applicable.

F. 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: Not applicable.

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

Comment: Not applicable.

H. 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: The increase in impervious surface is minimal, and the impact of stormwater will be negligible.

I. 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: The loading and service area to the rear of the site is proposed to be screened by existing fencing and a new six (6) foot fence/gate.

J. 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: New light fixtures are not proposed.

K. 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: Not applicable.

Recommendation:

The applicant must clarify the setback of the proposed fence/gate along Mason Street and the extent of the deck replacement project. Further, the general use of the rear yard for activities and outdoor dining must be clarified. If this information is provided and all improvements are compliant, the Planning Commission may approve the site plan, as only the walk-in refrigerator/freezer triggered the site plan review. However, fire department review should be a condition of approval.

Motion by Anderson, second by Bagierek to approve the application for 149 Griffith St with condition that it receives fire department approval. Upon roll call vote, motion carried unanimously.

B. Waterfront Development Zoning Ordinance Review – Initial Assessment Report

Planning Consultant Jirousek gave the Planning Commission an update and said that this is the first of two reports and the first half of the assessment. This is the background basis for the recommendations that will be coming out for next month's meeting. As you note from the report, this is a really a character assessment of both of the study areas on each side of the river. Kind of an overarching redevelopment assessment about how much land might be available and suitable for redevelopments or development, a review of the master plan and review of the zoning ordinance regulations that apply to the underlying zoning districts. He also wanted to report on the survey, the visual preference survey is online and both surveys will be available for another 11 days. They have 179 participants so far for the visual preference survey and 208 for the general waterfront regulation survey. Jirousek says this is good participation, as he does check on the results from time to time, though he has not prepared a summary of that. For the visual preference, most of the one to two story buildings have the more traditional design pitched roofs. A lot of the more modern looking buildings from the visual preference survey were not preferred for either side of the river. Those that are one, two, and two and a half stories with pitch roofs with more traditional design are really the only ones that have been preferred by the responding participants concerning the general study or the general survey. The vast majority of folks responded that they would only like to see two and a half stories or less. A lot of the priorities of folks were to look into access to the waterfront walkability of the waterfront open space and really controlling the overall bulk and scale of a building. The survey results really reinforced a lot of what we assumed going into the project. They really reinforced the conversations of the City Council and the Planning Commission. There were also a number of opportunities for open-ended responses so there have been a lot of thoughtful comments put

into the survey questions as well. Jurasik says he is looking forward to putting that into a summary for you to review over the next two weeks or so when the surveys close. As discussed in their last meeting, they did put together three boards that were available for your public events. He wants to hear back from those who were at those events. He is curious to see if there was a positive reaction to the board's recommendations or the project in general. He said he would love to hear input from those that staffed those stations.

Jirousek thinks that the boards are a good opportunity to give people a taste of what the surveys involve and to get people talking and aware of this project. He said that it is a good thing to be out there in the community and have conversations that get people interested and excited to provide input. They think that they are not going to get like a quantitative analysis from the boards, but it is just good to have people go through the exercise and indicator, which are going to affect waterfront development in the community. He appreciates everyone who has put their time into sitting out there and soliciting the input.

So, the report itself is really the first half of the assessment. This is the kind of basis that they will be using to create the recommendations for the waterfront zoning districts. A lot of you are very familiar with the character of your community. Walking through each corridor parcel by parcel was very important for him to really understand the types of common architectural traits that they can find. There are many architectural features and a lot of different building types. They are able to identify some trends and the types of buildings that they see within the area. The overall development and redevelopment assessment he found interesting to work through parcel by parcel. He didn't really look at the smaller boat lots or the parking area for the house boats and things like that but looked more at the significant size of the parcels, pretty much everything on the east side, three major parcels on the west side including the Marina Casa Loma and the two multi-family buildings. The east side had about 6.3 total acres of parcels that they looked at. He thought that around 1.85 acres, five parcels of 15, would have a higher potential for redevelopment. This is really looking at the size of the parcel, the ownership, and the age of the structure, if there has been a lot of investment in the buildings in the last few years, or if the building are less than 20-25 years old, he wouldn't count them as great redevelopment potential. Those buildings that are built in the early 1900's, to the 1950's and 1960's is starting to age. The potential for someone to buy with the intention to redevelop is high. Some sites like the Singapore Yacht Club parking lot, any time you have a surface parking lot with a great location like that, there will be a high likelihood of redevelopment. Overall, they have just under two acres on the east side that would really have a higher potential for redevelopment proposals. Then on the west side, there is 1.23 acres of parcel that was studied. He said that the Casa Loma Marina and the structures there are older buildings and there is a lot of land there .65 acres, that he would see as a potential for a redevelopment proposal at some point. Overall, about 2.5 acres of the study area, which is about 1/3. He would expect to have a higher likelihood for redevelopment than the remaining 2/3.

In the next report, they are really going to get in a bit deeper on what could happen to those parcels based on the current zoning regulations. After the development assessments, Jirousek looked through the Tri-Master Plan. The goals of policies are definitely a bit more

general in nature. There is no specific guidance on buildings scale, form, and design, like you might have in an area specific plan or a downtown specific plan. He thinks there is a lot of great guidance in those general goals and principles that they can hang their hat on when they are looking at zoning regulations. So those words which really ensure sensitive development, which preserves views and access to the waterfront, reasonable limitations on development, and preservation of historic buildings is really considered the compatibility of future development and land use with existing land use and buildings. He thinks there is a lot of good guidance within the master plan, even though there's not specific design guidance concerning buildings, he thinks that there is a lot that they can base their recommendations on.

Jirousek said that it was requested from the Planning Commission that they put together a comparison of the dimensional requirements, as well as the land use regulations between the three subject zoning districts. Originally, they had a fourth zoning district, but he conferred with Zoning Administrator Cummins that the Water Street South was expanded northward. So, there is Water Street Commercials that include Wicks Park and some properties to the north. There was some rezoning that was done several years ago to include them in Water Street. With the land use relations, general comments on the land use regulation, some of the line items are obviously using an older code and at some point, they will have to do an overhaul of the full code. He doesn't think that they need to get too deep into the updating all the way to modernizing the terminology and in doing a full zoning ordinance update, but there may be some opportunity to modernize some of the uses into assess that the land uses between districts. Between Water Street North and Water Street South, those are similar character, and he thinks that Water Street North was intended to be a bit denser, with smaller lot sizes, and no side and rear setbacks, where on Water Street South the lot sizes are a bit larger in there are side setbacks. He doesn't have anything else for recommendations. At this meeting, he just wanted to report on how they are beginning to make the basis for the zoning recommendations next month. Next month, they will have the survey results and be able to discuss them with. They will have the best practices, and any recommendations on zoning. The general questions the Planning Commission may want to consider tonight are: What are the characteristics of the study area and the most important elements to consider, to encourage or require the implications of the redevelopment of higher potential properties? He was wondering what the Commissions reactions would be or were on the redevelopment assessment. Consideration of the dimensional requirements between the districts, land use regulation between districts, and the general public input from the local events.

7. Communications: None.

8. Reports of Officers and Committees:

A. Zoning Administrator Activity Report: Director of Planning, Zoning, and Project Management Cummins gave brief update on his report.

9. Public Comments: None.

10. Commission Comments:

- Commissioner Gardner: Said that he was over at the Yacht Club for Fourth of July watching the fireworks and something that was brought up by numerous people is, if you have not seen it at night, the Butler lights are really intense. He wasn't sure if the lighting was addressed in the original approval or not but said that it stands out and bright to the extent that it was obliterating some of the fireworks and some of the laser show. Gardner has had a citizen complaint about their lights in the parking lot. They have some very high LED lights, which are literally flooding into the buildings across the street. He thinks that there is probably not much they can do other than ask if they can tone things down a bit at the deck.
- Commissioner Anderson: Said that it was interesting on the Waterfront Survey, she had several people share their unhappy thoughts about the Butler expansion. They were thrilled that the Task Force was taking a look.
- Commissioner LaChey: He said that when they were talking about a band at the back of what used to be Fish Camp, he found it interesting because he can hear the Butler band up on the hill by his house virtually every night. The upside to this is that this rule would apply to 149 Griffith if they put a band behind the restaurant is that the music has to stop at 11pm. He and his partner say that they are in town and it's part of that but to say that it is peaceful and quiet at night is absurd. There is a lot of noise that goes on, he hears Music in the Park at his house every Wednesday. It is part of living in a resort town, but he is glad that it stops at 11pm.

11. Adjournment:

Motion by Gaunt, second by Bagierek, to approve adjournment of the meeting. Upon voice vote, motion carried unanimously. Chair Manns adjourned at 8:27 pm.

Respectfully Submitted,

Sara Williams, City Deputy Clerk & DPW Administrative Assistant