



**Planning Commission Meeting  
February 20, 2020 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: December 19, 2019**
4. **Public Comment on Agenda Items:** Limit 3 minutes
5. **Old Business:** None
6. **New Business:**
  - a. **Amendment to R-1 Peninsula South District – Front yard setback - public hearing**
  - b. **Amendments to definitions of Business, Professional Offices, and Personal Service Establishment – public hearing**
  - c. **Review General Ordinance on street and alley vacation**
7. **Communications:** Training opportunity
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

**Proposed Minutes**  
**Saugatuck Planning Commission Meeting**  
**Saugatuck, Michigan, December 19, 2019**

The Saugatuck Planning Commission met in regular session at 7:00 p.m. at City Hall, 102 Butler Street, Saugatuck, Michigan.

1. **Call to Order** by Vice Chairperson McPolin at 7:00 p.m.

**Attendance:**

Present: McPolin, Peterson, Crawford, Vlasity, Fox & Caspar

Absent: None

Others Present: Zoning Administrator Osman

2. **Approval of Agenda:** A motion was made by Crawford, 2<sup>nd</sup> by Vlasity, to remove agenda item 5(B) 235 Butler Street Bar/Restaurant at the applicant's request. Upon voice vote the motion carried unanimously.

3. **Approval of Minutes:** A motion was made by Fox, 2<sup>nd</sup> by Crawford, to approve the November 21, 2019 minutes as amended. Upon voice vote the motion carried unanimously.

4. **Public Comments** (*agenda items only*): None

5. **New Business:**

**A. 181 Park Street Special Land Use Public Hearing:** A public hearing was scheduled on this date to receive comments regarding a Special Land Use Permit for reconstruction and additions that will put the floor area ratio over .3:1 at 181 Park Street. This property is located in the PSR-1 Zone District.

Vice Chairperson McPolin opened the public hearing at 7:05 p.m.

Zoning Administrator Osman reviewed the property and the rules regarding the floor area ratio. Stephen Scheller described the condition of the house and the challenges with its reconstruction.

There being no further comments, Vice Chairperson McPolin closed the public hearing at 7:25 p.m.

A motion was made by Peterson, 2<sup>nd</sup> by Fox, to approve the Special Land Use Permit for 181 Park Street for the home that exceeds .3:1 floor area ratio by .03 (lot area 6,444 square feet living area of 2,132 square feet for a ratio of .33:1). Upon roll call the motion carried unanimously.

**~~B. 235 Butler Street Bar/Restaurant:~~**

**C. 2020 Schedule of Meetings:** A motion was made by Fox, 2<sup>nd</sup> by Caspar, to approve the 2020 Schedule of Meeting as presented. Upon voice vote the motion carried unanimously.

**D. By-laws Amendment:** A motion was made by Fox, 2<sup>nd</sup> by Peterson, to amend Article 7 Meetings, Subsection 3 from five (5) member quorum to four (4) member quorum. Upon voice vote the motion carried unanimously.

6. **Old Business:**

**A. Election of Officers:** A motion was made by Crawford, 2<sup>nd</sup> by Fox, to table this item to the January 16, 2020 meeting after City Council appoints new member to the commission. Upon voice vote the motion carried unanimously.

7. **Communications:** None

8. **Reports of Officers and Committees:** Commission welcomed Council Member Peterson as Council liaison to the board and thanked Garnet Lewis for her time serving the board as Chairperson.

9. **Public Comments:** None

10. **Adjournment:** Vice Chairperson McPolin adjourned the meeting at 7:40 p.m.

Respectfully Submitted,

Monica Nagel, CMC  
City Clerk

**§ 154.035 R-1 PENINSULA SOUTH DISTRICT (PS).**

(A) *Generally.* The Peninsula South District is intended to recognize the character of plats that were created prior to 1968 and, as far as possible, allow for reasonable development. The District is also intended to promote waterfront residential land uses and enhance and protect the existing character of the District. The District objective is to promote visual access to Kalamazoo Lake and River and preserve the environmental characteristics of the zone. This District is designed to be more restrictive than other residential zones because of its proximity to water and the undeveloped portions of the city.

(B) *Permitted uses.*

- (1) Dwelling, single-family detached, with a floor area ratio that does not exceed 0.3:1.
- (2) Essential public services;
- (3) Home occupations; and
- (4) Short-term rental unit.

(C) *Special land uses.* Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#).

- (1) Home businesses;
- (2) Rented accessory dwelling units in accordance with § [154.092](#)(J); and
- (3) Dwelling, single-family detached, with a floor area ratio that exceeds 0.3:1.

(D) *Dimension and area regulations:*

Front setback	25 feet from right-of-way for lots fronting on Park, <del> and Perryman and Campbell Streets in the Manchester plat,</del> or 15 feet from all other platted streets and alleys
Side setback	10 feet*
Rear setback	10 feet*
Minimum lot width	66 feet
Maximum lot coverage	25%
Minimum lot area	8,712 square feet
* Except waterfront yards – see § <a href="#">154.022</a> (F)(4) waterfront lots	

(Ord. passed 6-24-1996; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 080414-1, passed 4-14-2008; Am. Ord. 090824-1, passed 8-24-2009; Am. Ord. 100726-1, passed 7-26-2010; Am. Ord. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 170911-1, passed 9-11-2017)

## MEMORANDUM

**TO:** Planning Commission  
City of Saugatuck

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

**DATE:** February 20, 2020

**RE:** Public Hearing Ordinance Amendment Definitions

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### **Background:**

Downtown Saugatuck is a unique and vibrant part of our tourism industry. However, shopping habits have been and are continuing to change. We have lost some of our retail shops as tourists look more for things to do, and fewer things to take home.

Generally, office space is an integral part of a downtown. However, downtown Saugatuck does not have a “downtown business district” where you might find a law office, a bank, and CPA office, and other businesses that do not sell “things.”

There are also domestic and business repair establishments.

Then there are “personal service establishment” that do not sell “things” but do things to you like cutting your hair or giving a massage or teaching yoga and the like.

One of the duties of the Planning Commission is the development of a master plan that was last done in 2016 as part of the tri-communities. Looking at our downtown zoning ordinances in a comprehensive way is a head start on the next master plan, and, it gives us the opportunity address new realities that businesses need to incorporate in their business plans.

The question is “do we want to have office use in downtown,” and if not, we should make some changes to our ordinance. I had a realtor request to put an office in on Butler Street. After a close look at permitted uses in the CC zone district, I went to the Mill Pond file to see how that was permitted, because “Business Professional Offices” was not a permitted use in either of those zone districts. Patrick Hudson was the ZA at that time and considered it as a permitted use – presumably as a Personal Service – there are not many things that are more tangible than real estate.

Eventually, he agreed to open an art gallery that also sells real estate, over 60% would be dedicated to retail sales. He would be open every day from Memorial Day to Labor Day from

approximately 10 AM to 6 PM. If he doesn't live up to the expectations we set up in my office, he will get a violation notice. (This was his idea from the beginning)

Comments I have heard from residents:

There are a lot of empty store fronts

Rents are too high

Nobody is going to drive from Grand Rapids to walk past offices

Other "resort" towns have lots of real estate offices downtown and it doesn't look nice

Current definitions:

***BUSINESS, PROFESSIONAL OFFICES.*** A building, or portion of a building, occupied by an establishment in which a person or persons offer a service that **does not include a tangible product.**

***DOMESTIC AND BUSINESS REPAIR ESTABLISHMENTS.*** A building, or portion of a building, occupied by an establishment in which a person, or persons, repair and/or restore equipment or similar items, which are not intended for resale on the premises. Domestic and business repair establishments shall not include the repair of automobile or motorized vehicles.

***PERSONAL SERVICE ESTABLISHMENTS.*** A building, or portion of a building, occupied by an establishment in which a person, or persons, practices a vocation that performs a type of labor, act or work that results primarily in a specialized aid or assistance directly to the personal needs of ultimate consumers normally served on the premises for a fee or charge. The type of specialized aid or assistance provided by a personal service establishment includes the following: beauty and barber services, **garment mending, alteration and related minor pressing services, shoe shining, shoe repair and hat cleaning services; watch, clock and other personal services of a similar nature.** ***PERSONAL SERVICE ESTABLISHMENTS*** do not include laundry and dry-cleaning plants.

***DOMESTIC AND BUSINESS REPAIR ESTABLISHMENTS.*** A building, or portion of a building, occupied by an establishment in which a person, or persons, **repair and/or restore equipment or similar items, which are not intended for resale on the premises.** Domestic and business repair establishments shall not include the repair of automobile or motorized vehicles.

**This is how it looked in 2007:**

***BUSINESS, PROFESSIONAL AND NON-PROFIT ORGANIZATION OFFICES.*** A building, or portion of a building, occupied by an establishment in which a person or persons, practice a particular kind of occupation requiring specialized knowledge and often a long and intensive preparation, that primarily results in a specialized aid, assistance or action directly or indirectly to the needs of individuals, clients or persons engaged in commerce or industry normally for a fee or a charge. The type of specialized aid, assistance or action provided by a business, professional or non-profit organization office includes the following: finance, insurance and real estate functions, medical and other health out-patient functions, legal functions, engineering, architectural and planning functions, accounting, auditing and bookkeeping functions, welfare and charitable

administration and executive functions, business, professional, political, labor, civic, social and fraternal associations, organizations and union administrative and executive, advertising, employment, protective, business and management

**DOMESTIC AND BUSINESS REPAIR ESTABLISHMENTS.** A building, or portion of a building, occupied by an establishment in which a person, or persons, practice a vocation that primarily performs a type of labor, act or work that results in the fixing and repair of an article of merchandise or a piece of equipment intended for and directly incidental to the customer's business or domestic use normally for a fee or charge and not for resale. The type of fixing and repair provided by a domestic and business repair establishment includes but is not limited to the following: small electrical appliances, radios and television repairs; re-upholstery and furniture repairs, bicycle, leather goods, locks, guns, and musical instrument repairs; business machine and typewriter repair; and similar specialized repair services.

**PERSONAL SERVICE ESTABLISHMENTS.** A building, or portion of a building, occupied by an establishment in which a person, or persons, practices a vocation that performs a type of labor, act or work that results primarily in a specialized aid or assistance directly to the personal needs of ultimate consumers normally served on the premises for a fee or charge. The type of specialized aid or assistance provided by a personal service establishment includes the following: beauty and barber services, garment mending, alteration and related minor pressing services, shoe shining, shoe repair and hat cleaning services; watch, clock and other personal services of a similar nature. *PERSONAL SERVICE ESTABLISHMENTS* do not include laundry and dry-cleaning plants.



	<b>CC</b> CI	<b>East</b> C2WSE	<b>North</b> C1WSN	<b>South</b> C2WSS
Essential public services	right	right	right	right
Retail Stores	right	right	right	right
Domestic and Business repairs	right	right	right	right
Personal service establishment	right	right	right	right
Art Gallery	right	right	right	right
Single-family 2 family multiple family dwelling units on 2nd or 3rd floors	right	right	right	right
Home occupations	right	NP	right	right
Short term rentals on 2nd or 3rd floors	right	right	right	right
B&B	SLU	NP	SLU	right
Hotel/inn	SLU	SLU	SLU	SLU
Motel/motor court	SLU	SLU	SLU	SLU
Parking facility	SLU	SLU	SLU	SLU
Motion picture facility	SLU	SLU	NP	SLU
Restaurants	SLU	right	SLU	right
Rental of ADUs	SLU	NP	NP	NP
Recreational transportation rental facility	SLU	SLU	SLU	SLU
Brewery, distillery, winery	SLU	NP	NP	NP
Business and professional office	NP	NP	NP	right
Clubs and fraternal Organizations	NP	NP	NP	SLU
Community Center	NP	NP	NP	SLU
Amusement arcade	NP	NP	NP	NP
Marinas/commercial boats	NP	NP	right	SLU
single family dwelling detached	NP	right	right	right
Amusement and recreation services	NP	SLU	NP	SLU
Charter Fishing tours	NP	NP	right	NP
Parks	NP	NP	NP	right

MEMORANDUM: July 22, 2004

TO: City of Saugatuck Planning Commission

FROM: P. Hudson, Asst. Zoning Admin.

RE: Agenda Item #2 for August 5, 2004, Meeting

OLD BUSINESS – **IF FINAL GRADE CONTOUR NOT INCLUDED, TABLE**

Site Plan Review, Mill Pond Realty

Zoning = C-1 Water Street North (WSN) 155.038

B. Permitted Uses

- 1. Dwelling Unit, two-family
- 6. Domestic business services
- 7. Personal service establishments
- 11. Second & third floor apartments
- 13. Parking facilities

D. Dimension & Area Regulations

- Front, Side & Rear setbacks = 0, subject to fire code
- Minimum lot width = 66 feet
- Maximum building height = 28 feet
- Maximum lot cover = 100%

100 Year Flood Plain = 584.0 mean sea level  
 State Building Code requires 1 foot freeboard

Minimum dwelling size 155.022

C. Structures

- 2. Minimum floor area for dwelling units
  - b. Single-family attached, including two-family  
 (see 155.005, APARTMENT “building with 3+..)  
 900 square feet each (*please note: the text here does not make any sense*)

Signs – 155.141

D. Freestanding signs

- 1. Maximum area – 16 sq feet
- 2. Setback – 5 feet from all property lines
- 3. Maximum height - 12 feet

Continued

Page 2 – Mill Pond site plan – continued

Parking – 155.135

Dwellings = 2 per dwelling unit (this includes apartments)  
Business office = 0.5 spaces per 100 sq ft useable floor area

- 155.130

E. New Construction

F. Existing Parking – may not be assigned to new requirements

- 155.131 Waiver

C., 4. Water Street North, waiver eligible EXCEPT

D. 5. waiver prohibited for 2<sup>nd</sup> floor apartments above commercial

- 155.134 Requirements

A. markings

B. 9' x 20'

C. surface and drainage

D. Access

E. Access point

1. 25 feet wide

2. at least 1/3 of lot width & 15' from side/rear lot lines

3. 30 feet between access points

F. Maneuverability

1. 90 degree parking = 22' lanes

4. lanes less than 20 feet must be one-way

G. Screening

Landscape buffer 5 feet width required with wheel stops

NOTE: 155.092 Special Land Uses

F. Change in Grade

1. changes in excess of 2 feet at any one point

REVIEW & COMMENTS – Mill Pond

Existing & Proposed Uses - All allowed

Lot Split - The only regulation in this district is that all lots be 66 ft wide. As noted in my previous memo, the City Attorney has offered the interpretation that, where adjacent non-conforming parcels both have existing principal structures they may be sold separately, so the DeYoung sale was legal and did not require City approval. All proposed divisions under this plan fully meet all zoning requirements.

Continued

- Flood Plan - FEMA map shows the flood plain running through the middle of the block. Spot elevations confirm this. Proposal is to construct building on slab one foot above flood plain. A grade change permit will be needed.
  
- Grade Change over 2 feet - The elevation drawings show the new grades. The fill is required under the structure in order to bring the first floor above base flood elevation.  
**FINAL GRADE CONTOURS MISSING – 7-23-04 IF NOT SUBMITTED BY 7-28-04, DO NOT REVIEW**
  
- Dwelling Size - New apartments are 1049 sq ft and 926 sq ft  
See attached floor plan
  
- Parking - 2 proposed 2<sup>nd</sup> floor apartments = 4  
949 useable floor area = 2.47 required  
TOTAL spaces required = 6 - 11 shown
  - Access drive is on the lot line and only 18 feet wide & over 2/3 of width from corner
  - Lanes are 22 feet (radius' are less)
  - Spaces are 9' x 20'
  - Landscape buffer is identified and shown
  
- Sign - One freestanding proposed dimensions not Given but supports no more than 12 sq ft  
With maximum 3 ft height  
Setback given as 6 ft from lot line

#### COMMENTS

The proposed split of lot 5 would result in a fully conforming lot eligible for a two-family dwelling.

Also, please see attached draft Historic District Commission minutes from July 22, 2004 with their review of the project.

## ARTICLE X. - VACATING STREETS AND ALLEYS

## Sec. 94-350. - Purpose and intent.

The purpose of this article is to set forth the process for vacating alleys and streets within the city.

(Ord. No. 1243, § 4, 3-17-2015)

## Sec. 94-351. - Procedure generally.

- (a) Public streets and alleys may be vacated within the city by resolution of the city council. Requests to vacate an alley may be made by motion of the city council or petition signed by a majority of the owners abutting the street or alleyway.
- (b) Any owners' petition or resolution of city council must be referred to the planning commission for review and recommendation. The following guidelines are to be considered in making a decision:
  - (1) Whether the street or alley services a residential, single-family, multifamily, or business area.
  - (2) Whether the vacation will create an undue burden on traffic.
  - (3) Whether the vacation is necessary to prevent traffic from traveling through the neighborhood to destinations outside the neighborhood or other safety factors such as speed of traffic, frequency of use, the size and condition of the street or alley.
  - (4) The wishes and desires of the majority of the neighborhood.
  - (5) The present and future interests of the city considering planning for the entire city.

(Ord. No. 1243, § 4, 3-17-2015)

## Sec. 94-352. - Public hearing of the planning commission.

Upon receipt of the petition or resolution, the planning commission must schedule a public hearing. After the public hearing, the planning commission must make a recommendation to city council. Publication and notice of this public hearing must be given as provided in section 122-93(a) of this Code of Ordinances.

(Ord. No. 1243, § 4, 3-17-2015)

## Sec. 94-353. - Public hearing of city council.

Upon receipt of the recommendation from the planning commission, city council must schedule a public hearing not less than four weeks thereafter to hear any objections. Publication and notice of this public hearing must be given as provided in section 11.13 of the Charter. Notice of the public hearing must

also be given to all city departments and to all utilities servicing the city.

(Ord. No. 1243, § 4, 3-17-2015)

Sec. 94-353. - Consideration by city council; objections.

- (a) After the public hearing, city council may adopt the recommendation of the planning commission, adopt the recommendation with modifications, or arrive at a different decision from the decision of the planning commission. City council may also schedule a new hearing date.
- (b) In the event of an objection to the vacation of a street or alley by any city department, utility, or adjoining property owner, such street or alley may not be vacated without two-thirds majority vote of city council.

(Ord. No. 1243, § 4, 3-17-2015)

Sec. 94-354. - Recording of vacation.

A certified copy of a resolution that effectively and properly vacates a street or alley, or any portion thereof, is to be delivered to the Washtenaw County Register of Deeds for recording within 30 days by the city clerk. A copy of the resolution must also be sent to the director of the state department of energy, labor, and economic growth.

(Ord. No. 1243, § 4, 3-17-2015)

Sec. 94-356. - Vesting of title, reservation of utility easements.

Upon any vacation of a street or alley by the city, or any portion thereof, the public right-of-way is extinguished and property title will vest according to state law, except that the city in each case is to retain and reserve an easement for installation and maintenance of utilities within the entire former right-of-way unless such an easement, or any portion thereof, is specifically abandoned.

(Ord. No. 1243, § 4, 3-17-2015)

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To: Saugatuck City Council  
From: Saugatuck Planning Commission  
Date: February 20, 2020  
Re: 2019 Planning Commission Activities

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The purpose of this memo is to provide an overview on the activities for the Planning Commission for the 2019 calendar year. Permit activity is as follows:

Year	2019	2018	2017	2016	2015	2014	2013	2012
Permits	98	107	108	89	77	62	100	80

In 2019, the Planning commission met five times and held public hearings regarding the following projects:

- Two public hearings for a special land use at 730 Water Street
- Public hearing for 181 Park Street for a floor area ratio special land use permit
- An application for a restaurant/bar at 235 Butler Street was withdrawn

The Planning Commission also held public hearings and made recommendations for amendments to the Zoning Ordinance in 2019:

- Held a public hearing on prohibiting or limiting residential uses in the C-2 Water Street South zone district
- Approved a sign in the right of way permit for 625 and 645 Lake Street
- Granted a one-year extension to a new house special land use permit for 450 Dunegrass Ridge
- Developed an ad hoc committee to create a paper survey to be mailed to property owners and businesses in the city
- Completed a city-wide survey regarding recreational marihuana sales
- Held three public hearings on recreational marihuana sales in the City
- Recommended to City Council to “opt out” of recreational marihuana sales in the City.
- Granted a one-year extension to a new house special land use permit for 845 Lake Street.

If you should have any further questions, please contact Planning Director Cindy Osman.