



Planning Commission Meeting Minutes

The Planning Commission met for a Regular Committee Meeting, August 17, 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, City Attorney Jacob Witte.

2. Approval of Agenda:

Motion by Gaunt, second by Bagierek to approve the agenda as presented for August 17, 2023. Upon voice vote, motion carried unanimously.

3. Approval of Minutes:

Motion by LaChey, second by Anderson to approve the minutes as presented for regular meeting July 20, 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 said that the STR Task Force has had two meetings since the last Planning Commission meeting. The meeting on August 3 focused a lot on discussing the nuisances involved with Short-Term rentals and discussing ways they can address them. Policy changes or other changes to enforcement or policies would help address some of those. Everything from adding trash cans to STR's, that would address the trash issue. Other suggestions were around parking and things of that sort. It seemed like a very fruitful discussion. From the Taskforce perspective and the input that they are getting from the community at the Town Hall as well as surveys, there is broad consensus that they can do a lot better job at addressing some of those issues. Today's meeting went through the survey results, and McKenna presented a recap of the survey that went out and closed on August 7. There is

clearly a split in the community's perspective on STR's. They all knew that there were some differences between residents who live here full time and those who live here part time, again, broad consensus around addressing the nuisance issues. In terms of considering caps, there are more favorable views of that from full time residents. Part time residents can walk through a memo that they prepared, talking about the Tri-Communities Master Plan and how STR's might fit into some of the policies and goals outlined in that plan. They talked about what the objectives were for STR recommendations coming out of the taskforce and are really focused on three, one is preserving the neighborhood feel of a small town and character of the community. Second was supporting their tourism economy, and the third is doing a better job of addressing whether through government enforcement or regulation for some of the nuisance issues. They did discuss whether they should consider caps at all. And if so, where some mixed feelings on whether they should, there is a consensus among the taskforce that they could not have or did not see a reason for a citywide cap, no one expressed that. There will be more consideration or discussion around the possibility of caps in some of the residential neighborhoods. McKenna is going to come back to them at the next meeting in three weeks, with sort of a recap or a draft of their report. This will show what they found in the process, kind of a recap of all of that, laying out the objectives. One part will be around nuisances and enforcement. That is pretty straightforward and then gives some thinking about how they might approach caps, if at all. She did add that they had a significant breakthrough. She said that thanks to their Director of Planning, Ryan Cummins, they are finally getting the data. Based on some work that a resident submitted, looking at all the numbers, and some preliminary work by McKenna, Cummins really got some good data that will help them in their decision-making progress and going forward to be able to maintain that. She thanked Cummins for his help.

6. New Business:

A. 291, 292, 293, 296, 297, 298, 301 Sugar Hill Ct. – Formal Site Plan Review (Roll Call Vote)

The applicant requests site plan approval for the overall Vine Street Cottages plan. This review is a comprehensive consideration of the project as a whole and a summary of each individual administrative and outside agency approval. The project involves seven (7) individual lots created through the City's land division ordinance and served by a private street.

Land Divisions. Two separate land division applications were approved administratively. Lots 3-6 were approved on May 2, 2023, and lots 1, 2, and 7 were approved on June 14, 2023. During the review of each land division application, all dimensional requirements for lots were confirmed (minimum lot area, minimum lot width, and compliant building envelopes).

Outside Agency Reviews. The 570-foot private street, Sugar Hill Court, was approved on November 14, 2019, and was constructed in 2021. The overall project was reviewed by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Water Resources Division and the Allegan County Health Department (SESC) prior to construction.

During the land division process, City staff coordinated with the Fire Department regarding the as-built conditions of the street and Fire Code compliance. The Fire Department noted several issues, and the applicant's design engineers worked diligently to satisfy the concerns.

The Fire Department made the following recommendations:

- 1. No occupancy permits will be granted until asphalt paving is completed, inspected, and approved by the Fire District.*
- 2. Lots 3,4,5, and 6 will have fire suppression systems installed in accordance with NFPA 13D*

Buildings. While compliant building envelopes were noted during land division review, a zoning permit will be required for each building. During that review, City staff will confirm compliance with all dimensional and dwelling requirements, including but not limited to setbacks, allowable encroachments, lot coverage, floor area ratio, maximum height, minimum gross floor area, fence locations/height, driveways, accessory buildings, and parking. Further, the zoning permit applicant must secure approvals from all applicable City departments and outside agencies, including EGLE.

Site Plan Standards of Approval

The following standards for site plan review and approval apply to the project per Section 154.063. Findings related to each standard are provided for consideration by the Planning Commission.

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: Single-family developments are allowable and appropriate within the subject R-1 Peninsula West zoning district. The subject project is not anticipated to impact the development potential of abutting properties.

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: Each building envelope is appropriate in relation to the lot size. Areas of disturbance are proposed to be minimized, and each individual building site will be considered against zoning requirements, topography, and other natural constraints.

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

Comment: As a single-family residential development where limits of disturbance must be minimized, the non-disturbed areas will provide adequate visual and sound privacy consistent with the standards and requirements for all dwellings in the City of Saugatuck.

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: As mentioned earlier in this report, Fire Department approval was secured. However, the final as-built conditions must be inspected and confirmed as compliant by the Fire Inspector.

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: Based on the size of the development and the number of lots, sidewalks and pathways are not proposed. The development is not in the vicinity of uses which generate considerable traffic. Rather, it is proposed in a quiet residential area.

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: This standard is not applicable as there are no existing or planned streets and pedestrian or bicycle pathways in the area.

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

Comment: Sugar Hill Court was previously approved in accordance with City and Fire Department specifications and requirements. However, final as-built conditions must be inspected and confirmed as compliant.

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: Individual building sites will be graded to ensure adequate control of stormwater, and measures will be taken to reduce the potential for erosion and other impacts of runoff. Each site will require EGLE and Soil Erosion and Sedimentation Control permits.

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: This standard is not applicable to single-family residential developments.

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: Sugar Hill Court is not proposed to incorporate streetlights. Individual building lighting is anticipated to be of a standard residential specification.

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: A financial guarantee is not necessary. Building occupancy permits will not be issued for individual lots until the City and Fire Department confirm that the as-built conditions of Sugar Hill Court are compliant.

Recommendation:

Based on the findings in this report, all standards of approval have been satisfied. Approval is recommended with the following conditions:

1. Zoning and building permits shall be issued for each site in accordance with the City's standard administrative review procedures and applicable zoning requirements.
2. No occupancy permits will be granted until asphalt paving is completed, inspected, and

approved by the Fire District.

3. Lots 3,4,5, and 6 will have fire suppression systems installed in accordance with NFPA 13D.

Motion by Lachey, second by Bagierek to approve the application for 291,292, 293, 296, 297, 298, 301 Sugar Hill Ct as submitted based upon findings of this report both standards of approval having the satisfied approval being recommended with the following conditions:

- 1. Zoning and building permits shall be issued for each site in accordance with the City's standard administrative review procedures and applicable zoning requirements.*
- 2. No occupancy permits will be granted until asphalt paving is completed, inspected, and approved by the Fire District.*
- 3. Lots 3, 4, 5, & 6 will have fire suppression systems installed in accordance with NFPA 13D.*

A roll call vote was taken:

Yes: Chair Manns, Commissioners Anderson, Bagierek, Gaunt, & LaChey

No: Commissioners Broeker & Gardner

Motion carried 5-2.

B. 248 Culver – Public Hearing and Site Plan Review for a Brewery and Restaurant (Roll call vote)

Public Hearing Information

A. Hearing is called to order by Chair Manns at 8:03 PM.

B. Summary by the Zoning Administrator:

The applicant requests special land use approval for a brewery and restaurant within a portion of the ground floor of an existing building. Additional outdoor dining and service is proposed. 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 related to special land use and site plan standards and specific requirements for the proposed business.

Aside from a small exterior addition (grain cracking room) and a new dumpster enclosure, all production and storage will occur indoors. The existing outdoor dining area will also be incorporated into the brewery and restaurant service area.

C. Presentation by the Applicant:

Wesley Noble was there to present the application on behalf of him and his partner Brooks Twist. Their application is essentially to renovate the former Toulouse

Restaurant. What they envision at 248 Culver St is to produce craft beer also with the intent of applying for a distiller's license, so that they have the option of producing and selling spirit-based beverages there. The idea is to cater equally to the local market as well as the tourist market. Between the two applicants, they have over 25 years of industry experience and would like to utilize their skills and blend in with the local community and will be open year-round to serve the patrons that are essentially already existing in the Saugatuck area. That corner has been a bit vacant for some time and the idea was to revitalize the corner to improve and harmonize the commercial experience for foot traffic and other patrons in the area and help support and sort of facilitate the overall creative experience that Saugatuck has to offer in artistic and creative areas. They believe that by being an alcohol manufacturer and retailer, they have an obligation of community and social obligation to encourage safe and responsible consumption of alcoholic beverages and to comply with the Safe-Serve regulations and focus on the benefits of community, their business decision will be centered around the community and employees of their business come first and in front of other business decisions. This summarizes what their intentions are and why they think they suit the area.

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 three minutes.
 1. Supporting Comments (audience & letters): None.
 2. Opposing Comments (audience & letters): None.
 3. General Comments (audience & letters): None.
 4. Repeat Comment opportunity (Supporting, Opposing, General): None.

E. Public comment portion closed by the Chair at 8:15 pm.

F. Commission deliberation:

The board went into deliberation and discussed the standards for the requested special land use approval for a brewery and restaurant within a portion of the ground floor of an existing building. Additional outdoor dining and service is proposed. 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 related to special land use and site plan standards and specific requirements for the proposed business.

G. Commission action:

Motion by Anderson, second by Gardner to approve the special land use application for Culver Street Brewery. Upon roll call vote, motioned passed unanimously.

C. Waterfront Development Zoning Ordinance Review – Initial Assessment Report

Planning Consultant Jirousek joined the meeting via Zoom to go over the second of two waterfront regulation assessment reports with the Planning Commission. This included an overview of public input and initial recommendations on the framework for waterfront regulation amendments within the Zoning Ordinance. In this phase, the objective is to gain consensus to direct them on any changes needed to be made to the ordinance. The final zoning language will be drafted for formal review after consideration and discussion by the Planning Commission.

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: None.

11. Adjournment:

Motion by Gaunt, second by Anderson, to approve adjournment of the meeting. Upon voice vote, motion carried unanimously. Chair Manns adjourned at 9:27 pm.

Respectfully Submitted,

Sara Williams, City Deputy Clerk & DPW Administrative Assistant