



CITY OF ALLEGAN

Planning Commission
Allegan City Hall
231 Trowbridge Street, Allegan, MI 49010
Monday, September 21, 2020 6:00pm

AGENDA

- 1. Call to Order**
- 2. Attendance**
- 3. Approval of Previous Meeting Minutes**
- 4. Public Comment**
- 5. Discussion Items**
 - a. Tabled Item from the July 20, 2020 Planning Commission Meeting to rezone 302 Cutler Street from the R-2 Residential Zoning District to the Planned Unit Development District to allow for a Bed and Breakfast, Event Center and Fixed Food Establishment.
 - b. Discuss Master Plan Update Table of Contents and Public Meeting Schedule
- 6. Comments from City Staff & Board Members**
- 7. Adjournment**

Meeting minutes may be obtained at cityofallegan.org or Allegan City Hall, 231 Trowbridge Street, Allegan, Michigan.

The City of Allegan is an equal opportunity provider and employer.



**City of Allegan
Planning Commission Meeting
Monday, August 17, 2020
Allegan City Hall Council Chambers
231 Trowbridge Street Allegan MI 49010**

MINUTES

1) Call to Order

Chairman Wilkening called the meeting to order at 6:00 pm.

2) Attendance

Present: Roger Bird, Mayor Traci Perrigo, Tanya Westover, and Alex Wilkening

Absent: Jason Watts, Julie Emmons, Thomas Morton

Others Present: Joel Dye, City Manager, Lori Castello, PCI, Zoning Administrator via Zoom meeting link

Motion by Westover, supported by Bird, to excuse the absences of Julie Emmons, Jason Watts, Thomas Morton. **Motion Carried 4-0.**

3) Approval of the Minutes of August 17, 2020 Meeting

Motion by Bird, supported by Mayor Perrigo, to approve the corrected minutes, noting Jason Watts absences, from the July 20, 2020 Planning Commission Meeting. **Motion Carried 4-0.**

4) Public Comment

Let the record show no public comment was received

5) Discussion

5A.1 – Tabled Item from the July 20, 2020 Planning Commission Meeting for a Zoning Text Amendment to allow for Planned Unit Development Zoning Districts to be on any size of property.

Mayor Perrigo offered a motion with support from Westover to allow for Zoning Text Amendments, for Planned Unit Development Zoning Districts to be located on any size property. **Motion Passed 4-0**

5A.2 - Tabled Item from the July 20, 2020 Planning Commission, to rezone 302 Cutler Street from the R-2 Residential Zoning District to the Planned Unit Development District to allow for a Bed and Breakfast, Event Center and Fixed Food Establishment.

Bird offered a motion with support from Westover to table agenda item 5A.2.

Motion Passed 4-0

5A.3 – Application and Public Hearing for a Special Use Permit to expand existing light manufacturing capacity at 125 & 127 Locust Street.

Bird offered a motion with support from Westover to approve and accept the application and public hearing for the Special Use Permit to expand existing light manufacturing capacity at 125 and 127 Locust Street. **Motion Passed 4-0.**

Findings of Fact-Light Assembly in C-1 and C-2 Special Use will be attached to the meeting minutes.

6) Staff/Commission Comments

None

7) Adjournment

Westover offered a motion with support from Wilkening to adjourn the meeting at 6:28 p.m.

**Respectfully submitted by
Christopher Tapper, City Clerk**

CITY OF ALLEGAN PLANNING COMMISSION
FINDINGS OF FACT- LIGHT ASSEMBLY IN C-1 AND C-2 SPECIAL USE

Section 1707.33- Light Assembly: *Light Assembly uses are allowed in the C-1 and C-2 Zoning Districts as Special Land Uses, subject to the provisions of Chapter 1801 as well as the following:*

A. *General Use Standards:*

1. *The use shall occur in an existing building.*

The proposed use Complies Does Not Comply.

Reasons: **Building has been there for several years.**

2. *The total enclosed area of the use shall not exceed fifty (50) percent of the gross floor area of the building in which the activity takes place.*

The proposed use Complies Does Not Comply.

Reasons: **total space is approximately 27% of gross floor area**

3. *If occurring within a street level floor area, the light assembly use must occur at least twenty five (25) feet from all public rights of way, or it shall be demonstrated that the use shall not be an intrusion to the pedestrian/shopping continuity of a commercial area and will not create a negative impact on adjacent residential uses.*

The proposed use Complies Does Not Comply.

Reasons: **Applicant has demonstrated with manufacturers specifications that there is not excessive noise- it would be more of an attraction.**

4. *All activities, including storage, shall be conducted entirely within the interior of the building. No outside storage is permitted.*

The proposed use Complies Does Not Comply.

Reasons: **No outdoor activity or storage has been proposed nor approved.**

5. *The light assembly and associated accessory uses shall not produce any noise, vibrations, odors or heat that are detectable beyond the property line.*

The proposed use Complies Does Not Comply.

Reasons: **Applicant has demonstrated through manufacturer's specifications that noise or vibrations will not create any detectable nuisance.**

6. *The intent of these standards is to maintain the character of the district and assure visual connectedness and public safety for those within and outside the business.*

The proposed use Complies Does Not Comply.

Reasons: **The proposed use will enhance pedestrian interest and support commercial businesses in the district.**

B. *Plan Review Standards: The applicant shall concurrently submit a site plan for light assembly use which shall comply with the standards of Chapter 1800.*

The proposed use Complies Does Not Comply.

Reasons: **No permanent changes will be made to the structure that would trigger site plan review; an interior plan has been presented.**

C. *Additional Standards for C-1 Zoning District: Site plans for a light assembly use located in the C-1 Commercial District shall comply with the following requirements:*

1. *The exterior design of the building shall be compatible with the character of the Neighborhood Commercial District in which it is located, as perceived from the adjacent public sidewalks and streets.*

The proposed use Complies Does Not Comply.

Reasons: **Location exists within the historic district; no structural changes or exterior façade changes will be made.**

2. *Traditional storefront design, window area, display windows and the building character shall be compatible with neighboring commercial storefronts with no blank*

facades along the sidewalk exceeding twenty five (25) feet in length. The interior design shall not negate the traditional exterior storefront appearance.

The proposed use x Complies Does Not Comply.

Reasons: **Will open up current storage area to pedestrian view.**

3. *The intent of these standards is to maintain the character of the district, and assure visual connectedness and public safety for those within and without the business.*

The proposed use x Complies Does Not Comply.

Reasons: **The operation would take place during normal business hours and will not cause any increased public safety issues.**

Section 1801.01 Standards for consideration of Special Uses

The review of a special use shall consider the following:

A. *The general safety, health and welfare of the community at large, this shall include:*

1. *Accessibility of the property in question to fire and police protection.*

The proposed use x Complies Does Not Comply.

Reasons: **Location is within existing commercial use and meets existing building standards and codes.**

2. *Traffic conditions creating or adding to a hazardous situation.*

The proposed use x Complies Does Not Comply.

Reasons: **No additional traffic will be created by the proposal.**

3. *Transportation design requirements if any, which will be needed to accommodate any traffic impact for the use intended; and*

The proposed use x Complies Does Not Comply.

Reasons: **No additional traffic will be created by the proposal.**

4. *Appropriateness of the location, nature and height of the proposed use to the size, type, and kind of buildings, uses, and structures in the vicinity and adjacent properties, including the safety and convenience of people therefrom.*

The proposed use x Complies Does Not Comply.

Reasons: **This will be an enhancement to existing commercial within an existing building.**

B. *Any potential decrease in the market value of adjacent buildings, uses and structures which are permitted by right under current zoning if the proposed use is granted;*

The proposed use x Complies Does Not Comply.

Reasons: **The fabric printing will supplement the existing commercial business and provide a viewing experience for area consumers.**

C. *Harmony with the Comprehensive Planning Program of the City of Allegan. This considers whether the location and size of the proposed use, the nature and intensity of the activities involved, the size of the site with respect to existing and future streets (giving access to it), parks and drainage systems will be in harmony with the Comprehensive plan of the City of Allegan and the character of land use which is intended by said city Plan for the area or district in question;*

The proposed use x Complies Does Not Comply.

Reasons: **The use of this equipment provides an added entertainment facet to downtown shoppers. Additionally, no structural changes are proposed that would prohibit future use of this property for retail commercial space should the use cease. Property is planned and zoned for C-1 Commercial use which will be supplemented by this accessory use.**

D. *Impact from the applicant's proposed use, its location and intensity and the height of its buildings, walls, fences and other structures upon the appropriate character of development intended for the area as deemed desirable by the City of Allegan Comprehensive Plan;*

The proposed use x Complies Does Not Comply.

Reasons: **Building will continue to exist in current form; no structural or façade changes are proposed.**

- E. *Any hazards arising from storage and use of flammable fluids; and*
The proposed use Complies Does Not Comply.

Reasons: **Applicant has not proposed any storage or use of flammable fluids, nor has any been approved.**

- F. *That the operations in connection with any special use shall not be environmentally objectionable to nearby properties by reason of noise, fumes, pollution, vibration, or lights to an extent which is more than would be the operations of any use permitted by right for that district wherein the special use is proposed.*

The proposed use Complies Does Not Comply.

Reasons: **Applicant has demonstrated through manufacturer's specifications that no noise, light, heat, sound, vibration, fumes or odors will extend outside of the building.**

Based on the above Findings of Fact, the Planning Commission recommends to City Council that the proposed Special Use be:

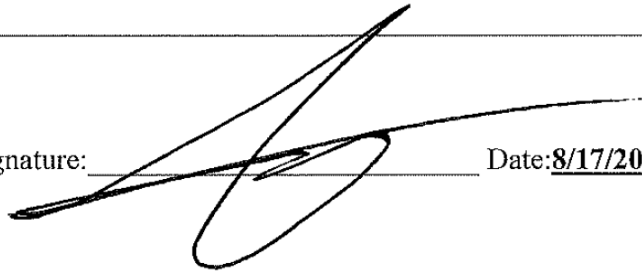
Approved

As Presented

Denied

Planning Commission Chair Signature: _____

Date: 8/17/2020





**PROFESSIONAL CODE INSPECTIONS
OF MICHIGAN, INC.**

1575 142nd Avenue
Dorr, MI 49323
(616) 877-2000
(Fax) #(616) 877-4455

MEMORANDUM

TO: City of Allegan Planning Commission
FROM: Lori Castello, Zoning Administrator
DATE: September 17, 2020
RE: **Delano Inn PUD**

The Planning Commission is scheduled to consider a zoning amendment for a property known as the Delano Inn.

Property Information The Delano Inn is located at 302 Cutler Street, also known as Permanent Parcel Number 03-51-105-124-00. Currently this parcel is Zoned R-2, Single Family Residential and has approximately .69 acres of land area. Mr. Todd Green, owner, is asking to rezone this parcel to the Delano Inn PUD.

Information provided by Applicant Mr. Green has provided an application for rezoning and brief description of what types of uses he would like to have available on the property.

Proposed PUD Zoning Information The proposed PUD language is attached in full to this memo. In brief, Mr. Green would like to diversify and expand the existing bed and breakfast to include small events as well as a food establishment. As this particular combination of uses is not permitted within any traditional zoning district, Mr. Green is asking to create the PUD for this assortment of uses. The attached language has been revised and downscaled from the initial application.

19.02.03: Planning Commission Recommendation The Planning Commission shall consider each proposal for amendment in terms of its own judgement on particular factors related to the individual proposal and in terms of the likely effect of such proposal upon the City of Allegan Comprehensive Planning Program. The planning Commission shall transmit a written report with recommendation within sixty (60) days to the City Council setting forth the reasons for the acceptance, denial, or modification of the amendment proposal.

Other information The current proposal includes language permitting a Bed and Breakfast. Section 201.2 of the City of Allegan Zoning Ordinance defines Bed and Breakfast as: “A use which is subordinate to the principal use as a single-family dwelling and a use in which a sleeping room and breakfast area is provided in return for payment”. As the owners do not live on site, staff has worked with them to arrange a situation where an on-site property manager may live there as their primary residence and perform hosting duties as a home occupation. However, that arrangement is only valid as long as there is a current valid lease and written agreement.

Findings of Fact: The Planning Commission should consider the location of the property, the current use of the property and those surrounding it, the indications of the Master Plan, and based upon these findings make a recommendation to the City Council.

The property is currently zoned R-2 with an existing bed and breakfast within the Historic District. Properties to the north, south and east of this parcel are zoned R-2 Single Family Residential.

The master plan indicates this parcel and those in the immediate area are planned for residential use.

Summary: If the Planning Commission determines, after examination of the above information and Findings of Fact that a recommendation to approve the rezoning request is appropriate, Staff recommends the following conditions of approval:

1. No additional uses other than the existing bed and breakfast, private gathering and events facility (maximum 49 people total on property at any time), and single-family dwelling, until such time as all permits have been completed and occupancy has been granted by the Building Official and/or other appropriate licensing authority.
2. If the PUD is granted, language to clarify that the Bed and Breakfast be permitted to operate as a primary use without requiring it to be a home occupation. Existing limitation of 6 guest rooms will still apply for the property. (*suggested change: Item 4.c Bed and Breakfast – add **as a principal use***)
3. Clarification in writing from the owner that the main kitchen area within the Delano Inn will be used for production of food, and proof of licensure by appropriate authorities prior to commencement of food production and delivery services.

Conversely, if the Planning Commission determines after considering Findings of Fact, that based on current and planned zoning and uses within the immediate area would not be compatible with the PUD as presented, then a recommendation of denial is appropriate.

Conclusion: I hope the information provided is helpful to you as you consider this request. If you have any questions or concerns please do not hesitate to contact me and I will assist in any way that I am able. You may reach me by phone at (616) 877-2000 Ext. 213 or email at lcastello@pcimi.com.

Sincerely,



Lori Castello
Zoning Administrator

Meeting Notice for the City of Allegan Planning Commission

The City of Allegan Planning Commission will be meeting on Monday September 21, 2020. The meeting will take place at 6:00 PM at the Allegan City Hall, 231 Trowbridge Street. During this meeting, the Planning Commission will review a rezoning request from Todd and Nia Green to rezone 302 Cutler Street (Delano Inn) from R-2 to PUD as stated below.

THIS ITEM WAS ORIGINALLY DISCUSSED AT THE JULY 20, 2020 PLANNING COMMISSION MEETING. AT THAT TIME THE PLANNING COMMISSION HELD THE REQUIRED PUBLIC HEARING AND THEN SUBSEQUENTLY TABLED THE ITEM. THIS NOTICE IS A COURTESY NOTICE TO THE NEIGHBORS OF 302 CUTLER STREET.

DELANO INN PLANNED UNIT DEVELOPMENT

Zoning Map Amendment:

Section 1. Legal Description: The area for rezoning from R-2 Single Family Residential to Delano Inn PUD is that area commonly known as 302 Cutler Street, parcel number 03-51-105-124-00, and legally described as: LOTS 113 & 114 ALSO SLY 30 FT LOTS 117, 118 & 119 ALSO ELY 1/2 LOT 112 O. P. SEC 28

Section 2. Intent: The Delano Inn PUD is intended to provide a location for the existing bed and breakfast, as well as a delivery-only café, and a small event facility, to host up to 49 persons for indoor and outdoor use of the Delano Inn and grounds. This district is uniquely characterized by a mix of limited institutional and residential uses and walking distance to downtown Allegan to allow for a unique guest experience on a historical parcel within the City.

Section 3. Underlying Zoning District: Any standards which are not specifically stated herein shall default to the standards for use and development within the R-2 Single Family Residential Zoning District.

Section 4. Permitted Uses and Definitions: Land and/or structures located in the Delano Inn PUD may be used for the following purposes as defined within the City of Allegan Zoning Ordinance:

- a. Accessory buildings
- b. Accessory uses permitted within the R-2 Zoning District
- c. Bed and Breakfast
- d. Private Gathering and Events facility up to 49 persons total on site including staff and all guests regardless of participation status in the event.
- e. Home Occupations
- f. Restaurant- delivery only
- g. Single Family Detached Dwelling

Section 5. Development Requirements: Any non-residential development or change of use must comply with the general and specific requirements of the City of Allegan Zoning Ordinance for non-residential uses, including but not limited to Design Standards, Chapter 17.07;

Section 6. Parking and Loading: Any non-residential uses shall comply with Chapter 1612, Parking and Loading, of the City of Allegan Zoning Ordinance, with the following exceptions:

- a. Off-street parking shall be provided at a rate of not less than fifteen spaces.
- b. Off street parking locations must be provided within five hundred feet of the site, with not less than two barrier free spaces on site.
- c. Parking may be located on private lots with recorded reciprocal parking agreements or within public parking lots but on-street spaces shall not be included.
- d. Off-street parking for events shall be clearly marked and guests will be directed to use said areas to avoid over-congestion of on-street parking provided for neighborhood residents, visitors and guests to the surrounding residential area.

Section 7. Hours of Operation: Hours of operation for events center shall be limited from 10 a.m. to 9 p.m. Monday through Saturday, and 12 p.m. to 7 p.m. on Sundays. All events including music must end by 8 p.m. (7 p.m. on Sundays) with any non-residents or non-overnight guests of the Bed and Breakfast to be off site by 10 p.m. The intent of this limitation is to avoid disruptive noise from gatherings creating a nuisance to the existing residential character of the neighborhood.

Hours of operation for food preparation and off-site delivery runs shall be Monday through Friday between the hours of 11 a.m. to 2 p.m. No onsite sales or consumption will be permitted on this property. Operation is subject to all Allegan County Health Department and State of Michigan food safety regulations and permits.

MEMORANDUM

TO: Allegan City Council
FROM: Joel Dye, City Manager
Sarah Perrigo, City Manager Intern
RE: Master Plan Update Table of Contents and Public Meeting Schedule Discussion
DATE: Monday, September 21, 2020

Summary

At your September 21st meeting the Planning Commission will be discussing the layout of the Master Plan (Table of Contents) and how we want to engage the public.

Please take time to skim the current City Master Plan on the city website at this address:

http://www.cityofallegan.org/document_center/Governments/Plans%20and%20Reports/Adopted%20City%20of%20Allegan%20Master%20Plan%202015%20Update.pdf

Attachment

DRAFT Table of Contents

Table of Contents

Introduction

Include parts of Allegan's History

Existing Conditions

Demographics

 race, age

Housing

 home ownership, housing stock inventory, housing stock age

Employment

 unemployment levels, income levels, large employers

Education

 education levels, available education

Existing Land Use

Culture & Heritage, or Civic Places and Parks

Environmental Features

Transportation

Neighborhoods

Planning Process

Public Meetings Held

Partnerships Involved

Reports Referenced

Vision & Goals

Stated Vision

Main Subjects with clear objectives

Land Use Map

Potential Main Subjects

 Neighborhoods (Including Housing)

 Business Districts

 Economy

 Land Use

 Culture & Heritage

 Environment

 Public Infrastructure

Implementation Strategies

Matrix of Goals, Measurements, Partners