



**City of Allegan
Planning Commission Meeting
Monday, January 20, 2020
Allegan City Hall Council Chambers
231 Trowbridge Street Allegan MI 49010**

MINUTES

1) Call to Order

Julie Emmons called the meeting to order at 6:00 pm.

2) Attendance

Present: Julie Emmons, Jason Watts, Roger Bird, Traci Perrigo, Tanya Westover and Alex Wilkening

Absent: Brad Burke, Thomas Morton and one vacancy.

Others Present: Joel Dye, City Manager

Motion by Jason Watts, supported by Alex Wilkening, to excuse the absences of Brad Burke and Thomas Morton. Motion Carried 6-0.

3) Approval of the Minutes of December 16, 2019 Meeting

Motion by Jason Watts, supported by Traci Perrigo, to approve the minutes from the December 16, 2019 Planning Commission Meeting. Motion Carried 6-0.

4) Public Comment

None

5) Discussion

5A.1 – Review and Discussion of Ordinances to Regulate Marijuana Establishments

Dye reviewed proposed amendments to an ordinance that was rejected by City Council in the fall of 2019 to regulate marijuana establishments. During the review, Dye reminded the Planning Commission that they directed staff to review the discussion of the City Council meeting where the original ordinance was defeated and to propose a new ordinance that would satisfy concerns that were listed by individual councilmembers. Specifically Dye pointed out the new ordinance

includes the following changes:

- Increasing the separation from schools from 500 feet to 1,000 feet.
- Adding a 1,000 foot separation between provision centers, retailers and micro businesses.
- Outright banning On Site Consumptions Establishments.
- Making the signage allowances stricter.

The Commission spent much time discussing the 1,000 foot separation between provision centers, retailers and micro businesses. During this discussion, it was pointed out that this would possibly only allow one or maybe two stores in the downtown. The Commission also discussed the idea of prohibiting stores on Locust Street and Hubbard Street between Chestnut Street and Locust/Brady Street, however in the end it was the consensus that the market will determine where these stores can locate.

Motion by Jason Watts, supported by Julie Emmons to schedule a public hearing on the new ordinance for the February 17, 2020 Planning Commission Meeting. Motion Carried 6-0.

6) Staff/Commission Comments

None

7) Adjournment

The meeting was adjourned by Julie Emmons at 6:53 p.m.

**Respectfully submitted by
Joel Dye, City Manager**



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

MINUTES

1) Call to Order

Mayor Perrigo called the meeting to order at 6:00 pm.

2) Attendance

Present: Jason Watts, Roger Bird, Mayor Traci Perrigo, Thomas Morton, Tanya Westover and Alex Wilkening

Absent: Brad Burke, Julie Emmons and one vacancy.

Others Present: Joel Dye, City Manager

Motion by Jason Watts, supported by Alex Wilkening, to excuse the absences of Brad Burke and Julie Emmons. Motion Carried 6-0.

3) Approval of the Minutes of January 20, 2020 Meeting

Motion by Jason Watts, supported by Roger Bird, to approve the minutes from the January 20, 2020 Planning Commission Meeting. Motion Carried 6-0.

4) Public Comment

None

5) Discussion

5A.1 – Public Hearing and Action on Ordinance to Regulate Marijuana Establishment.

Watts offered a motion with support from Bird to open the public hearing at 6:08 P.M. to received public comments regarding the proposed Ordinance to Regulate Marijuana Establishment. **Motion Passed 6-0**

Comments received from the public included, spoken against the proposal, discussion about

backdoor deals, monitoring the amount of violations that might take place if the ordinance were to pass, concerns regarding the possible influence of children in schools, and concerns about the affects the proposal would have on families living in Allegan.

Bird offered a motion with support from Wilkening to close the public hearing at 6:32. Motion **Passed 6-0.**

Watts offered a motion with support from Wilkening to approve the Ordinance to Regulate Marijuana Establishment, an amendment to Chapter 31 of the Allegan City Code of Ordinances. **Motion Passed 6-0.**

6) Staff/Commission Comments

None

7) Adjournment

Watts offered a motion with support from Wilkening to adjourn the meeting at 6:53 p.m.

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



**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.**

6) Staff/Commission Comments

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

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 x 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 x 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 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 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 x 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 x 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

With the Following Conditions:

Denied

Planning Commission Chair Signature: _____ Date: **8/17/2020**



**City of Allegan
Planning Commission Meeting
Monday, September 21, 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, Thomas Morton, Tanya Westover, Jason Watts,
and Alex Wilkening

Absent: Julie Emmons

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

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

Motion by Westover, supported by Mayor Perrigo, to approve the corrected minutes, from the
August 17, 2020 Planning Commission Meeting. **Motion Carried 4-0-2.**

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, 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.

Members of the public spoke regarding the rezoning request of 302 Cutler Street. Concerns

regarding the request were received from, Rosalie Hunter, 240 Cutler Street, Damayas & Jacob Thiltgen, 323 N Walnut, Matthew Heusser, 357 Monroe. Chairperson Wilkening, thanked the public for all the additional comments regarding the request.

Applicant Todd Green discussed his vision for the property and the food delivery business. The Planning Commission then discussed the application and stated that they wanted to give the neighbors more time to review the application and share their thoughts at an upcoming meeting.

Bird offered a motion with support from Watts to table agenda item 5A.1.

Motion Passed 6-0

5A.2 – Discuss Master Plan Update Table of Contents and Public Meeting Schedule

City Manager Dye and City Manager Intern, Sarah Perrigo, presented to the Commission, an update to the City of Allegan Master Plan along with the current adopted Plan. They noted, it was staff's recommendation to review the layout of the draft Master Plan (Table of Contents) and how the Commission wants to engage the public in the process.

6) Staff/Commission Comments

None

7) Adjournment

Westover offered a motion with support from Wilkening to adjourn the meeting at 7:47 p.m.

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



**City of Allegan
Planning Commission Meeting
Monday, December 21, 2020
Allegan City Hall Council Chambers
231 Trowbridge Street Allegan MI 49010
THIS MEETING OCCURRED VIRTUALLY OVER ZOOM**

MINUTES

1) Call to Order

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

2) Attendance

Present: Roger Bird, Mayor Delora Andrus, Thomas Morton, Jason Watts, Julie Emmons, and Alex Wilkening

Absent: Tanya Westover

Others Present: Joel Dye, City Manager, Sarah Perrigo, City Manager Intern, and Lori Castello, PCI, Zoning Administrator

Motion by Bird, supported by Watts, to excuse Westover. Motion Carried 6-0.

3) Approval of the Minutes of November 16, 2020 Meeting

Motion by Watts, supported by Emmons, to approve the minutes from the November 16, 2020 Planning Commission Meeting. Motion Carried 6-0.

4) Public Comment

Let the record show no public comment was received.

5) Discussion Items

a. Review Master Plan Survey and Proposed Neighborhood Delineations

The Planning Commission reviewed the proposed neighborhood subgroups and the draft online opinion survey that will be distributed in early 2021. During their review, the staff informed the Commission that the neighborhood subgroups will be used to focus on certain areas as we discuss future land use and capital improvement planning, Staff also informed the Commission the draft online opinion survey will be used to create a snapshot of what residents currently like in the city and what they currently do not like in the city and that this information will help serve as a foundation as the Commission puts the Master Plan together.

6) Staff/Commission Comments

None

7) Adjournment

Wilkening to adjourn the meeting at 7:21 p.m.

**Respectfully submitted by
Joel Dye, City Manager**



**City of Allegan
Planning Commission Meeting
Monday, November 16, 2020
Allegan City Hall Council Chambers
231 Trowbridge Street Allegan MI 49010
THIS MEETING OCCURRED VIRTUALLY OVER ZOOM**

MINUTES

1) Call to Order

Chairman Wilkening called the meeting to order at 6:01 pm.

2) Attendance

Present: Roger Bird, Mayor Delora Andrus, Thomas Morton, Tanya Westover, Jason Watts, Julie Emmons, and Alex Wilkening

Absent: None

Others Present: Joel Dye, City Manager, Sarah Perrigo, City Manager Intern, and Lori Castello, PCI, Zoning Administrator

3) Approval of the Minutes of September 21, 2020 Meeting

Motion by Watts, supported by Bird, to approve the corrected minutes, from the September 21, 2020 Planning Commission Meeting. **Motion Carried 4-0-2.**

4) Public Comment

Let the record show no public comment was received

5) Discussion Items

- a. Tabled Item from the September 21, 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.

Dye and Castillo gave an overview of the rezoning request to allow 302 Cutler Street, the former home of the Delano Inn, to offer food delivery Monday thru Friday from 11:00 am to 2:00 pm. During the presentation, Dye mentioned that the address already has a special use permit to allow it to operate as Bed and Breakfast and Private Gathering Facility and the rezoning is needed to allow this additional use of food delivery. Dye also reminded the Commission that there was a petition submitted earlier this year signed by nine residents opposing this rezoning.

Mike Morton spoke during the public comment time to reiterate that this is a residential neighborhood and that the bed and breakfast and private gathering facility was supposed to be low key to the residential neighborhood and if approved this rezoning to allow food delivery will only decrease the quality of life in this residential neighborhood.

Watts offered a motion with support from Bird to recommend the City Council to approve the rezoning request as presented. Motion Failed 0-6-1

- b. DVNK 1 LL, Special Use Permit/Site Plan Review at 919 Marshall Street Allegan, MI 49010.

Dye and Castillo gave an overview of the Special Use Permit/Site Plan Review for a marijuana retail store to be located at 919 Marshall Street which is currently the home of Sweet Temptations.

The applicant then went over their plan to improve upon the current building and convert it from its current use as an ice cream shop to a marijuana retail store.

Emmons offered a motion with support from Watts to approve the Site Plan Review with the following conditions:

- A landscaping plan shall be submitted show the removal of the existing mini golf facility and proposed landscaping to go in its place to be reviewed and approved by staff.
- A parking plan shall be submitted to show compliance with ADA requirements and local parking standards including the placement of a bike rack to be reviewed and approved by staff.
- All other improvements to the site must conform with the C-2 General Commercial Zoning District.

Motion Carried 7-0.

Bird offered a motion with support from Morton to recommend the City Council to approve the Special Use Permit with the following conditions:

- No commencement of operation until final approvals are granted by the City Clerk and LARA.
- No outside storage of product overnight.
- Signage has to meet standards of Section 17033.8 and has to be reviewed and approved by staff prior to installation.
- Odor control has to meet standards of Section 17033.10 and be reviewed and approved by the City's Mechanical/Building Inspector.
- All display of product and paraphernalia must not be clearly visible from the outside

of the building per Section 17033.12.

Motion Carried 7-0.

c. Discuss Master Plan Update

The Planning Commission took time to discuss the update to the City Master Plan and directed staff to look for ways to engage residents including the use of online surveys.

6) Staff/Commission Comments

None

7) Adjournment

Wilkening to adjourn the meeting at 7:40 p.m.

**Respectfully submitted by
Joel Dye, City Manager**