



VILLAGE OF PENTWATER

ON PENTWATER LAKE AND LAKE MICHIGAN
327 South Hancock Street, P.O. Box 622, Pentwater, Michigan 49449
(231) 869-8301 - FAX (231) 869-5120
www.PentwaterVillage.org

Planning Commission Meeting Agenda May 16, 2018 - 7:00 P.M.

I. Opening

A. Call to Order, Pledge of Allegiance, and Roll Call.

II. Approval of Agenda and Minutes

A. Approval of Agenda.

B. Approval of Minutes of the Meeting held April 18, 2018.

III. Public Comments

IV. Public Hearing – None.

V. Old Business - Zoning Ordinance Amendments

A. Downtown parking as it relates to residential uses and marinas.

VI. New Business

A. Correspondence from West Michigan Shoreline Regional Development Commission: Re: Golden Township.

B. Introduction regarding the Façade Restoration Initiative Grand Funding.

VII. Department/Committee Reports

A. Zoning Administrator

1. See attached reports.

2. Special Land Use Application – Hancock Building – Additional Information. Public Hearing schedule for June 20, 2018.

B. Zoning Board of Appeals – No meeting, no report.

VII. Communications from Planning Commission Members

VIII. Public Comments

IX. Adjournment - Next Scheduled Planning Commission Meeting – June 20, 2018



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Planning Commission

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Regular Meeting Minutes – April 18, 2018

Chairman Ron Christians called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 7:03 pm, with the Pledge of Allegiance.

ROLL CALL

Present: Michelle Angell-Powell, Mark Benner, Ron Christians & Paul Anderson.

Absent: Bruce Koorndyk.

Staff Present: Keith Edwards, Zoning Administrator, and Chris Brown, Village Manager.

APPROVAL OF AGENDA

Motion by Angell-Powell, second by Anderson to approve the Agenda as presented.

Voice Vote: Aye: 5 Nay: 0 Absent: 1 **Motion carried.**

APPROVAL OF MINUTES

Motion by Angell-Powell, second by Anderson to approve the February 21, 2018 regular meeting minutes as submitted.

Voice Vote: Aye: 5 Nay: 0 Absent: 1 **Motion carried.**

PUBLIC COMMENTS – No comments from the audience were submitted at this time.

PUBLIC HEARING – None.

OLD BUSINESS

A. SWOT Analysis to Ideas to Goals and Objectives

The Planning Commission discussed the process that will occur in the focus groups of conducting the SWOT Analysis to generate ideas on their particular topic and then return those ideas to the full Planning Commission for incorporation within the Goals and Objectives of the Master Plan Amendment.

B. Review of Master Plan Goals for Downtown

Mr. Edwards reviewed the existing Goals and Objectives from the 2015 Master Plan Update with the Planning Commission. Specific attention was given to those existing goals and objectives stated in Chapters 3 and 4 of the 2015 Master Plan Update, as they relate to the Downtown Pentwater Plan area.

NEW BUSINESS – Zoning Ordinance Amendments – Introductory Discussion

A. Downtown parking as it relates to residential uses and marinas.

Mr. Edwards and the Planning Commission discussed some ideas for loosening the parking requirements for residential uses in upper floors of existing buildings, those constructed before a certain date, approximately 1995, in an effort to encourage residential use of the upper floors of those buildings in the C3, Central Business District. Also discussed was a reduction in the one parking space per boat slip for marinas.

B. Marinas and dockominiums in single-family residential districts.

Mr. Edwards discussed the nonconforming nature of all marinas located in the C3, Central Business District, differences in types of marinas from private to public to commercial, the lack of certain definitions in the Zoning Ordinance and the standards that may be necessary to establish for the different types of marinas.

C. Short-term rental houses in single-family residential districts.

Mr. Edwards introduced the discussion of a land use know in the real estate as a short-term rental house. These are homes in single-family neighborhoods that are rented or leased to individuals and families for less than 28 days. Zoning is likely limited as a tool for regulation of such uses, however, the Mr. Edwards will return to the Planning Commission with some standards for consideration, likely as Special Land Uses within single-family residential zoning districts with standards for parking, distance between rentals, etc. However, issues like building safety, registration, taxation and other issues should not be part of Zoning Ordinance regulation.

D. Amendments after separation from the Community Zoning Ordinance.

Due to the Village and Township separation from the Pentwater Community Zoning Ordinance, some provisions are no longer necessary and others such as motels, hotels, inns, resorts and lodges should be reconsidered. Mr. Edwards will return with some proposed amendments to address these issues.

COMMITTEE/DEPARTMENT REPORTS

A. Zoning Administrator – Mr. Edwards' written report was received by the Planning Commission.

B. Zoning Board of Appeals - No meeting, no report.

COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS – None.

PUBLIC COMMENTS – None

ADJOURNMENT - The meeting was adjourned by Chairman Ron Christians at 8:52 pm.

Respectfully Submitted,

Keith Edwards
Zoning Administrator

April 27, 2018
Date

Approved by the Village of Pentwater Planning Commission on _____.

WMSRDC
WEST MICHIGAN SHORELINE
REGIONAL DEVELOPMENT COMMISSION

May 2, 2018

Keith Edwards, Zoning Administrator
Village of Pentwater and Pentwater Township
327 S. Hancock St.
Pentwater MI, 49449

Dear Mr. Edwards,

This notice is to inform the planning commissions of Pentwater Village and Pentwater Township that the Golden Township Planning Commission, with assistance from the West Michigan Shoreline Regional Development Commission, is engaged in the process of updating its existing master plan.

In accordance with Section 39 of the Michigan Planning Enabling Act, P.A. 33 of 2008, MCL 125.3839, this notice is to inform neighboring local governments, planning entities, and any public utilities and railroad companies of Golden Township's intent to amend its master plan.

You will be notified when the proposed master plan draft is available for review. The draft will be accessible online; however a printed copy may be provided upon your written request. If you have questions or concerns regarding the Golden Township master plan update, please contact me at (231) 722-7878 extension 11 or at scarlson@wmsrdc.org. Thank you for your time and cooperation.

Sincerely,



Stephen Carlson
Program Manager

This Just In: Façade Restoration Initiative funds now available for eligible communities

Initiative seeks to expand state support of local façade improvement programs



The Michigan Strategic Fund recently approved \$1.5 million in funds for the Façade Restoration Initiative (FRI) to provide grant dollars to community districts or authorities for the purpose of strengthening and expanding existing façade restoration improvements in downtowns around the state.

The MEDC Community Development staff is highly supportive of façade programs, because we have seen the positive impact these projects bring to Michigan's downtowns. Vibrant and active downtowns create a sense of place, provide a positive environment for local small businesses and attract outside patrons. The visual appearance of the downtown contributes to a community's economic vitality, and local façade incentive programs are necessary catalysts for private investment.

FRI grant funds will be awarded to local authorities and districts (such as downtown development authorities and principal shopping districts) to re-grant to private building owners to support a façade improvement project. MSF funds will provide up to 50 percent of the façade restoration cost, with the other 50 percent being funded by a combination of private investment and local match.

Eligible applicants will have an existing and locally administered façade improvement program. Applicants will be chosen by responding to a Request for Information. Awards will be no less than \$50,000 and up to \$500,000, as needed to support the applicant's potential project pipeline.

For more information on FRI and to apply, visit [here](#).

MEDC's Community Development unit focuses on creating vibrant, sustainable and unique places by providing economic development services and programs to attract and retain talent in Michigan communities. The global economy has drastically shifted how municipalities and regions establish and maintain a competitive advantage. Success is determined by the ability to attract and retain the best people and ideas. These "knowledge workers" balance job opportunities with lifestyle,

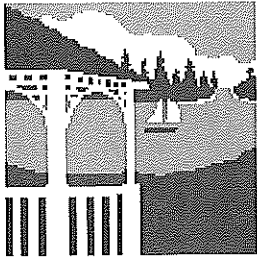
MEDC

seeking more than just employment when deciding where to live. The concept of placemaking considers cultural and natural amenities, resources and social and professional networks.

MIPlace

To learn about MEDC's other community revitalization programs, visit [here](#). Join the conversation on [Facebook](#), [LinkedIn](#) and [Twitter](#).

Pictured above: City of Portland, Michigan Main Street participating community



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ZONING ADMINISTRATOR'S REPORT

May 8, 2018

The following is a summary of activity conducted by the Office of the Zoning Administrator in April, 2018.

Code Enforcement

Nothing outstanding at this time.

Planning Commission

The Planning Commission met on April 18, 2018 to continue to discuss the SWOT analysis portion of the master plan update and review the existing goals of the 2015 Master Plan Update. The Planning Commission also discussed new Zoning Ordinance amendments for downtown parking requirements as it relates to residential uses and marinas; Marinas and dockominiums in single-family residential districts; short-term rental houses in single-family residential districts; and, amendments after separation from the Pentwater Community Zoning Ordinance such as the elimination of the RR and R1 Zoning Districts and adjustments to the C3 and C4 Zoning Districts for hotels, motels, inns, resorts, etc.

Zoning Board of Appeals

The Zoning Board of Appeals did not meet in April but will hold its annual meeting on May 23, 2018.

Zoning Permits

The following Zoning Permits were issued in April, 2018:

1. 136 S. Ellery to move and replace an existing fence.
2. 629 Sands for a revised permit for a new house.
3. 760 E. Sixth Street, the Hexagon House, for a new potting shed and fence.
4. 805 E. Lowell for a new garage.

5. 337 N. Rush for a new shed.
6. 34 N. Rutledge for a new house.
7. 380 N. Hancock, at Hanover, for a new house.

Sincerely,

Keith J. Edwards

Keith Edwards
Zoning Administrator

MEMORANDUM

To: Village of Pentwater Planning Commission
From: Keith Edwards, Zoning Administrator
Date: May 11, 2018
Subject: **Special Land Use Consideration – Hancock Building – Additional Information**

Introduction

At this time, I just wanted to provide the Planning Commission with additional information regarding the proposed Special Land Use request to convert the remainder of the second floor of the Hancock Building, 251 S. Hancock, to Single-Family Residential Use. Within this memo, please find responses from the Police Department, Fire Department and Department of Public Works. Additionally, I have attached the narrative of the proposed changes to the Hancock Building as provided by the applicant for the Special Land Use request.

The required public hearing to take public comment on the proposed Special Land Use will be held on June 20, 2018 during the Planning Commission's regular meeting. A notice will soon be published in the Oceana Herald Journal newspaper and individual notices will be sent out to properties within 300 feet of the Hancock Building.

Department Responses

On April 12, I distributed requests for comment to the Village Police Department, Fire Department and DPW through their respective Department Heads. Their responses are below:

Police Department

Police Chief Laude Hartrum reported no issues relative to the Police Department and supports the creation of additional parking on Second Street.

Fire Department

After meeting with the Oceana County Building Department, the Fire Department recommends that the conversion of the office use to residential use will require compliance with the current Michigan Building Code adopted by Oceana County which may include improvements to egress and fire suppression. Requirements will be stated at the time of Building Permit review and issuance.

DPW

The Department of Public Works finds that the building can be served with adequate sanitary sewer, potable water and sidewalks for use by the new residents of the building.

Please see the attached narrative provided by the applicant for the Special Land Use.

Special Land Use Permit Request

by

The Hancock Building Condominium

The Hancock Building Condominium requests the issuance of a special land use permit from the Village of Pentwater Planning Commission. The purpose of the permit is twofold:

1. To allow for the conversion of two commercial condominium units, known as Unit 2G and Unit 2F-H, within the Hancock Building to residential units.
2. To allow for the conversion of greenspace along the south side of Second Street and west of Hancock Street for five new public parking spaces.

Background

The Hancock Building Condominiums were developed during the 1980's. The property had originally been the local Pentwater Theatre. After its closure it was purchased by Robert Stiphany with the intent of saving the historical building through conversion to condominium units for both commercial and residential use. The conversion consisted of 9 physical units. The master deed for the condominiums was filed with the County of Oceana on Oct. 6th, 1988. Units were designated as either commercial or commercial/residential which could be used for either commercial or residential use, but not both at the same time. Units 1A, 1B, 1C, 1D, and 2F were designated as commercial use only. Units 2G, 2H and 2J were designated as either commercial/residential.

On 3-02-07 amendment 1 to the master deed defined commercial use to "include the ownership of a unit by a municipality and the use of that unit for any lawful purpose as determined by the municipality." Amendment 1 also changed the designation for unit 2F from commercial to commercial/residential. The result of Amendment 1 was to create conditions for the Village of Pentwater to establish a public restroom within the Hancock Building and allow Unit 2F to be used for residential purposes.

In April of 2007 the master deed for the Hancock Building was replatted to increase the square footage of Unit 1E to more than 600 square feet. The Village of Pentwater approved a special land use permit request for conversion of Unit 1E from commercial to residential use on May 2, 2007. On 5-29-07 amendment 2 to the master deed increased the size of Unit 1E to more than 600 square feet by converting common element property within the Condominium to property assigned to and owned by Unit 1E. Unit 1E was subsequently converted from a commercial space to a residential unit.

Background continued:

On 10-24-2017 amendment 3 to the master deed was recorded in Oceana County. The amendment documented several changes to the master deed. For purposes of this application the significant changes are:

1. Conversion of common element space within the Condominium to space owned by Unit 2G to meet the Zoning requirements with respect to square footage for residential use.
2. Allowed for the combination of Units 2F and 2H into a single unit designated as Unit 2F-H.

Any additional amendment(s), should this application be favorably accepted, will include master deed changes necessary to meet the stipulated requirements of Village Attorney Monton's letter of August 31st with respect to land transfers, parking creation and master deed modifications necessary to meet Current Zoning Ordinances for conversion of Units 2G and 2F-H from commercial to residential units.

Conversion of Commercial Units within the Hancock Building to Residential units

Two second story units within the Hancock building have recently been purchased from the prior owners whose intent was to leave the building, thus leaving all but one unit of the second floor vacant. The new owner intends to convert these units to residential units. The Association has taken the necessary steps in amending the master deed and creating the necessary documentation and floor space (square footage of all units now exceeds 600 square feet) to meet Village Zoning requirements, except for parking space. The allowance of the request for parking space creation (item 2 above and following) would complete the zoning requirements for parking associated with classification of these two units as residential.

Conversion of Greenspace to Public Parking

The Hancock Building requests permission to convert the greenspace on the south side of Second Street and west of Hancock Street into not less than 5 new parking spaces. These parking spaces would be converted at the expense of the Hancock Building or its members with no expense to the Village and no physical claim to the new parking by the Hancock Building or its members. The parking would be improved, striped and sized consistent with existing Village parking spaces immediately to the west of the proposed space. The Association only requests the creation of these new spaces be allowed to "count" toward zoning ordinance parking requirements for residential units within the Hancock Building. An attached proposed site plan depicts these new parking spaces.

This request meets the requirements or established/customary practices of the Village with respect to Sections: 12.03, 15.03, 15.04, 16 and 17 of the Village zoning ordinances.

1. Conversion of two commercial units, currently known as Unit 2G and Unit 2F-H. Unit 2G was an existing unit within the Hancock Building. By vote and agreement of Association members at the June 2017 association meeting, the association agreed to transfer necessary common element property within the Hancock Building to provide the necessary floor space to meet the minimum space requirements of 600 square feet for a residential unit. Unit 2F-H was previously two individual units known as 2H and 2F within the Hancock Building. These two units were combined to form one unit known as 2F-H at this same June association meeting. Each of these unit changes were formally incorporated into the Master Deed of the Hancock Building Condominium by Amendment #3 which was registered with Oceana County on October 24th 2017.
 - a. With respect to Section 12, Section 12.03.F, both Unit 2G and Unit 2F-H meet the requirement of residences as currently administered by the Village with respect to the C3 Business district.
 - b. With respect to Section 15.03.A, A proposed site plan is attached for review under Section 16
 - c. With respect to Section 15.03.B
 - i. Units 2G and 2F-H meet the requirements of 15.03.B.1 with respect to harmonious and appropriate appearance and do not change the character of the area
 - ii. Units 2G and 2F-H meet the requirements of 15.03.B.2 regarding essential service by public facilities
 - iii. Units 2G and 2F-H meet the requirements of 15.03.B.3 and do not create excessive costs or requirements of public service or facilities
 - iv. Units 2G and 2F-H meet the requirements of 15.03.B.4 and do not use or create conditions which are detrimental to persons or property in the vicinity
 - d. With respect to Section 15.04.Q
 - i. Both units meet the requirements of 15.04.Q.1. Neither unit exceeds the space of the commercial unit below by more than 2X.
 - ii. Both units meet the requirements of 15.04.Q.2 and meet the residential space requirements of a R-3 district of a minimum 600 sq. ft. and do not have more than two bedrooms per unit.
 - iii. Both units will meet the requirements of 15.04.Q.3 and parking requirements of Chapter 17 for parking with the approval of the site plan and the following request for conversion of green space for parking. Each new space will be consistent with existing public parking as provided and administered by the Village.

2. Conversion of Green Space to Parking along the South Side of Second Street. Units 2G and 2F-H require two parking spaces each to comply with the current zoning ordinances. There is not sufficient parking within the off street parking space behind the Hancock Building to meet these requirements. The Hancock Building is requesting approval of the proposed site plan with respect to parking for residential units. The Hancock Building will improve, at its expense, the Greenspace along the south side of Second Street and create five new public parking spaces. The new parking spaces shall meet the construction requirements and be marked as required by the Village for consistency of construction and appearance. The new spaces shall be equivalent in size to the existing and adjacent public parking spaces provided by the Village along Second Street. (see site plan attached) The Hancock Building requests these spaces be allowed to meet the requirements for conversion to residential units for Units 2G and 2F-G. This would be contrary to Section 17.05.D. However, the Village of Pentwater approved at the September Village Council meeting a proposal to develop a five year agreement allowing conversion of this space based on conditions described in a letter from Attorney Monton dated August 31, 2017 which included the allowance of these new sites as meeting parking requirements for residency within the Hancock Building. The agreement, to meet this and other stated conditions, is currently in the process of development with the Village.

Thank you for your review and working with the Hancock Building Condominium to make these exciting changes to the building and create additional downtown parking resources for the Village of Pentwater. In summary your approval will:

- Allow for the creation of two new residential units bringing more people to the center of Pentwater and preventing dark spaces within the Hancock Building which would have occurred when these units were vacated by their previous owners.
- Create five new parking spaces for the benefit of the Village in the C-3 district and enhance the appearance of Second Street.