



# VILLAGE OF PENTWATER

## Planning Commission

ON PENTWATER LAKE AND LAKE MICHIGAN  
65 N Hancock Street, P.O. Box 622, Pentwater, Michigan 49449  
(231) 869-8301 – FAX (231) 869-5120

### Regular Meeting Minutes – October 24, 2023

Interim Chairperson Conroy called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:00 pm, in-person at Park Place, 310 N. Rush Street, Pentwater, with the Pledge of Allegiance.

#### ROLL CALL

**Present:** Bruce Koorndyk, Mary Marshall, Kyle Jansen, and Chris Conroy.

**Absent:** Amy Roberson, Ron Stoneman, and Dan Nugent.

**Staff Present:** Katie Anderson, Zoning Administrator.

#### APPROVAL OF AGENDA

**Motion** by Mary Marshall, second by Bruce Koorndyk to approve the agenda presented.  
Voice Vote: Ayes: 4    Nays: 0    Absent: 3    Motion passed.

#### APPROVAL OF REGULAR MEETING MINUTES

**Motion** by Bruce Koorndyk, second by Mary Marshall to approve the September 26th regular meeting minutes as amended and the October 3<sup>rd</sup> special meeting minutes as presented.  
Voice Vote: Ayes: 4    Nays: 0    Absent: 3    Motion passed.

#### PUBLIC COMMENTS FOR ITEMS ON THE AGENDA

None

**Motion** by Mary Marshall, second by Kyle Jansen to close the regular meeting and open the public hearing at 6:04pm.  
Voice Vote: Ayes: 4    Nays: 0    Absent: 3    Motion passed.

#### PUBLIC HEARING

**The property owner of Vacant Lot, a.k.a. Property ID No. 64-044-560-093-00 has filed an application with The Village of Pentwater to change the Zoning District Designation of the property from R-3, *Multiple Family Residential District* to R-2, *Single Family Residential*. The property is located on the east side of Third Ave., between Hanover St. and Sands St., Lot 93 and the South 133 feet of Lot 95 Official Map, Plat A, Village of Pentwater.**

## **Public Comments from the Public Hearing**

Bruce Koorndyk – PC Member – Asked for clarification on the lots and the map associated with the property the public hearing is addressing.

Jim Wallace – 555 N. Oceana St. – I am an adjacent property owner to that lot (64-044-560-093-00) and I here in support of the request to change it to single family. It does not make a lot of sense to me to have an apartment building in a residential area and I would prefer not to have an apartment building adjacent to my property.

Mike Curtis – 191 E. Sands St. – The owner of the property (64-044-560-093-00) has owned the property for almost 20 years. It was residential at the time of their purchase and petitioned in 2006 to have the property rezoned to R-3, with a complete plan to develop a Housing Project in the area. The project fell apart during the part of the planning process. The property has been sitting in the condition its currently in since that time (2006). My interest is in family property and am in contract with the current owners to buy the property if it can be rezoned back to R-2.

**Public Hearing closed at 6:10pm.**

## **OLD BUSINESS**

### **A. Master Plan**

- The Master Plan Steering Committee met on October 19<sup>th</sup> to review the comments from the Public Hearing on October 3<sup>rd</sup>. Chris Conroy made the edits to the Master Plan and released Version 10 on October 24<sup>th</sup>. Both the Village and Township Planning Commissions will review the updated version and make a recommendation at a future meeting.

### **B. Consideration for Proposed Text Amendment to the Zoning Ordinance to amend Section 12.04.D to change the maximum building height in the C-3 District from 35 feet to 47 feet and clarify the existing side and rear yard setback requirements.**

- At the September 26<sup>th</sup> the Planning Commission members motioned to not address the proposed text amendment until after the Master Plan has been approved.

## **NEW BUSINESS**

### **A. Consideration for change to the Zoning District Designation of Property ID No. 64-044-560-093-00 from R-3, Multiple Family Residential District to R-2, Single Family Residential.**

**Motion** by Mary Marshall, second by Kyle Jansen to recommend a change to the Zoning District Designation of Property ID No. 64-044-560-093-00 from R-3, Multiple Family Residential District to R-2, Single Family Residential.

Roll Call Vote: Ayes: Marshall, Jansen, Koorndyk, and Conroy.

Nays: 0      Absent: 3      Motion passed.

## **SECTION 20.04 CRITERIA FOR AMENDMENT OF THE ZONING MAP (REZONING)**

In considering any petition for an amendment to the official Zoning Map (rezoning), the Planning Commission and the Village Council shall consider the following criteria in making its findings, recommendations, and decision:

- A. Consistency with the goals, policies, and future land use guidelines of the Village of Pentwater Master Plan, including all applicable subarea and corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area;
  - All agree, that the change in zoning is consistent with recent development trends in the area and follow what the upcoming Master Plan’s Future Land Use Map has proposed in that area.
- B. Compatibility of the site’s physical, geological, hydrological, and other environmental features with the potential uses allowed in the proposed zoning district;
  - All agree, the site’s compatible with the potential uses allowed in the proposed zoning district.
- C. Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning;
  - All agree, there is evidence that the applicant cannot receive a reasonable return on investment as Single-family homes are not permitted under the R-3 zoning district.
- D. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values;
  - All agree, the potential uses allowed in the proposed zoning district is compatible with the surrounding uses and zoning.
- E. The capacity of Village infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the “health, safety, and welfare” of the Village residents;
  - All agree, the Village infrastructure and services are sufficient to accommodate the uses permitted in the requested district and would not compromise the “health, safety, and welfare” of the Village residents.
- F. The apparent demand for the types of uses permitted in the requested zoning district in the Village in relation to the amount of land in the Village currently zoned to accommodate the demand; and
  - All agree, there is demand for more single-family housing in the Village, rezoning to R-2, Single Family Residential would help accomplish this demand and there are future designations within the Village’s Future Land Use Map and upcoming

Master Plan to designate R-3, Multiple Family Residential zoning in other areas in the Village.

- G. Where a rezoning is reasonable given the above criteria, a determination shall be made that the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district.
- All agree, at this time it would be a more reasonable action to change the zoning district of the parcel rather than amend the list of permitted or special land uses within the R-3 zoning district.

#### B. Election of Officers

**Motion** by Bruce Koorndyk, second by Mary Marshall to elect Chris Conroy as the Chairperson for the Planning Commission.

Roll Call Vote: Ayes: Koorndyk, Marshall, Jansen, and Conroy.  
Nays: 0          Absent: 3          Motion passed.

**Motion** by Bruce Koorndyk, second by Chris Conroy to elect Mary Marshall as the Vice Chairperson for the Planning Commission.

Roll Call Vote: Ayes: Koorndyk, Conroy, Jansen, and Marshall.  
Nays: 0          Absent: 3          Motion passed.

**Motion** by Chris Conroy, second by Bruce Koorndyk to postpone the election for Secretary to the next regular Planning Commission meeting.

Roll Call Vote: Ayes: Koorndyk, Marshall, Jansen, and Conroy.  
Nays: 0          Absent: 3          Motion passed.

**Motion** by Chris Conroy, second by Mary Marshall to elect Bruce Koorndyk as the Ex-Officio to the Zoning Board of Appeals.

Roll Call Vote: Ayes: Conroy, Marshall, Jansen, and Koorndyk.  
Nays: 0          Absent: 3          Motion passed.

#### C. Non-conforming Building Review – 523 E. Fourth St. – Parcel ID No. 64-044-725-001-01

Review of 523 E. Fourth St. as a variance was requested and approved at the October 17<sup>th</sup> ZBA Meeting.

### COMMITTEE/DEPARTMENT REPORTS

**A. Zoning Administrator** - Ms. K. Anderson's written report was accepted by the Planning Commission.

**B. Zoning Board of Appeals** – Met on October 17<sup>th</sup> for variance requests from 212 W. Lowell St. and 523 E. Fourth St. Minutes were attached to the October 24<sup>th</sup> Planning Commission Packet.

## **PUBLIC COMMENTS**

Mike Curtis – 191 E. Sands St. – I wanted to comment on my experience with City Hall. For most of my life I have had bad experiences with small city governments and I would not have any nice stories to tell. This has been revolutionary for me. I walked in one afternoon; I did not know who I was looking for and said I wanted to talk to someone about zoning. Katie said, “will tomorrow at 2pm be good” and I said, “that would be great”. From 2:00pm to 2:02pm, I explained what I had in mind at which point Katie said “I thought that is what you probably wanted” and spread out a package of papers. Absolutely prepared for every question that I could come up with well down the road from where I was thinking myself and my hats off to the whole experience, I was very impressed. Thank you.

Jim Wallace – 555 N. Oceana St. – In the proposed Master Plan, they changed my property to high density. I have a home there and have had one there for 20 years. I do not know why it got changed or how and I just want to make sure it gets put back to the way it is. I have over seven acres, that take up a couple different platted lots. In the future, I may come to split off three of those acres and if it is rezoned to R-3 (for higher density) I would not be able to do that.

Chris Conroy – PC Member – Explained that the map in question is actually the Future Land Use map and not the Zoning Map. Mr. Wallace’s property is not being rezoned and it is just a recommendation of property that could be used in the future as higher density if the land every became available.

John Perles – 224 E. Third St. – Pertaining to the Item 8B, Zoning Board of Appeals that took place on October 17<sup>th</sup>, I want to enter some comments into these meeting notes. I want it known that I applied for a variance as well and was denied. It was the first denial in five years. And my second point is, the composition of the Board did not meet the Ordinance as it is stated today. It requires seven people and the Board only has six.

## **COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS**

None.

## **ADJOURNMENT**

**Motion** by Bruce Koorndyk, second by Chris Conroy to adjourn the meeting at 7:14pm.  
Voice Vote: Aye: 4      Nay: 0      Absent: 3      Motion passed.

Respectfully Submitted,

**Katie Anderson**

Katie Anderson, Zoning Administrator

October 25, 2023

Approved by the Village of Pentwater Planning Commission on \_\_\_\_\_.