

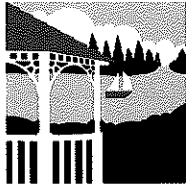
VILLAGE OF PENTWATER

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 September 24, 2019 - 6:00 P.M.

1. **Opening** - Call to Order, Pledge of Allegiance, and Roll Call.
2. **Approval of Agenda and Minutes**
 - A. Approval of Agenda.
 - B. Approval of Minutes of the Regular Meeting held August 27, 2019.
3. **Public Comments**
4. **Public Hearing** – Proposed Special Land Use Request for 35 E. Lowell (a.k.a. 22 S. Hancock) Conversion of a Commercial Use to Residential Use.
5. **Old Business**
 - A. Consideration of the Proposed Special Land Use Request for 35 E. Lowell (a.k.a. 22 S. Hancock) Conversion of a Commercial Use to Residential Use.
 - B. Report from the Pentwater Visioning Team – Mark Benner and Chris Conroy.
6. **New Business**
 - A. Presentation of the Complete Streets Design Process and Guidebook – Fleis and Vandenbrink Engineers.
 - B. Proposed Special Land Use Request 189 S. Hancock) Proposed Residential Use of upper two floors for one unit. – Set date of October 22, 2019 for Public Hearing.
7. **Department/Committee Reports**
 - A. Zoning Administrator – See attached report.
 - B. Zoning Board of Appeals – The ZBA did not meet in August, 2019.
8. **Communications from Planning Commission Members**
9. **Public Comments**
10. **Adjournment**

Next Scheduled Planning Commission Meeting – October 22, 2019 at 6 pm



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Planning Commission

ON PENTWATER LAKE AND LAKE MICHIGAN
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Regular Meeting Minutes – August 27, 2019

Chairperson Ron Christians called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:00 pm, with the Pledge of Allegiance.

ROLL CALL

Present: Bruce Koorndyk, Kirstin McDonough, Ron Christians, Mark Benner, Michelle Angell-Powell and Paul Anderson.

Absent: Chris Conroy.

Staff Present: Keith Edwards, Zoning Administrator.

APPROVAL OF AGENDA

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

Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

APPROVAL OF REGULAR MEETING MINUTES

Motion by Angell-Powell, second by Benner to approve the June 25, 2019 regular meeting minutes as presented.

Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

PUBLIC COMMENTS – Dave Morren and Jordan Schipper of Insignia Homes introduced a concept for a redevelopment plan of the Abbey Bed and Breakfast site on First Street and Dover Street.

PUBLIC HEARING – Chairperson Christians opened the public hearing for the 2019 Zoning Ordinance Update amendment at 6:40 pm. Mr. Edwards briefly outlined the proposed amendments. No public comments were received. Chairman Christians closed the public hearing at 6:42 pm.

OLD BUSINESS

A. Discussion and Consideration of the Proposed 2019 Zoning Ordinance Update.

Zoning Administrator Keith Edwards provided a summary of the provisions of Zoning Ordinance to be amended, including specifics on the Definitions, General Regulations, Multiple Family, Waterfront and Special Land Uses sections to be changed along with moving the Sign provisions from the chapter on Park, and making a new Chapter 21 for signs.

Motion by Benner, second by Angell-Powell to recommend approval of the 2019 Zoning Ordinance Update amendment with one minor change to remove the sentence *"The building shall include eaves or overhanging roofed areas for purposes of measuring setback distances."*, from the definition of Setback in Chapter 2. This definition will be reviewed again at a later date.

Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

B. Report from the Pentwater Visioning Team – Mark Benner

Mark Benner gave a brief update of the coming end of the Summer Poll, including some of the preliminary results and announced the creation of the Residents Survey which will be going out to property owners in the 49449 zip-code and Pentwater School District area.

NEW BUSINESS

A. Request for the addition of a wrap-around porch on the main building at 10 Channel Lane – The Channel Lane Inn.

The owner of the property is requesting to add a 99 sq. ft. front porch on the Channel Lane and Bridge Street sides of the main building of the Channel Lane Inn. The existing building is nonconforming to the west side setback. The proposed porch will be located on the east side and south side of the existing building and will meet the required front setback from the lot lines of 17 feet. Staff recommended approval.

Motion by Angell-Powell, second by Anderson to approve the covered but unenclosed porch addition to the east and south sides of the main building of the Channel Lane Inn at 10 Channel Lane.

Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

B. Request for a public hearing for a Special Land Use for the conversion of commercial use to residential use at 35 Lowell (a.k.a. 22 S. Hancock) which is located within the C3, Central Business Zoning District.

Motion by Angell-Powell, second by Koorndyk, to set the public hearing for September 24, 2019.

Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

COMMITTEE/DEPARTMENT REPORTS

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

Commission.

B. Zoning Board of Appeals – The ZBA did not meet in July 2019

COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS – None.

PUBLIC COMMENTS – None

ADJOURNMENT - The meeting was adjourned by Chairperson Ron Christians at 7:20 PM.

Respectfully Submitted,
Keith Edwards, Zoning Administrator

September 3, 2019

Approved by the Village of Pentwater Planning Commission _____.

DRAFT

**Special Land Use Request & Site Plan Review
35 E. Lowell (a.k.a. 22 S. Hancock St.)
Pentwater, Michigan**

**Staff Report
September 17, 2019**

By Keith Edwards

Introduction

The owners of the buildings located at 35 E. Lowell (a.k.a. 22 S. Hancock St.) have applied for Special Land Use Approval to allow a commercial space (former kayak repair shop) to be converted to a single residential space. Currently, there is one other existing residential space on the property. Such conversion requires a public hearing to be held for collecting public comment by the Planning Commission, Special Land Use Approval and Site Plan Review Approval also by the Planning Commission.

No further Village approvals are required. However, a building permit may be required for the change in use from commercial use to residential use.

Background

Although the physical conversion of the commercial space to residential space has already taken place, the owners were unaware of the required Special Land Use approval. The owners have stated that the space that was converted from commercial to residential was previously residential prior to being converted to commercial use.

Discussion

Special Land Use

Since the property is located within the C3, Central Business District, residential uses are considered Special Land Uses, subject to the following specific standards of Section 15.04.Q et seq. as follows:

- 1. The gross floor area for all residential units shall not exceed twice the gross floor area of the commercial or office uses to which they are accessory.*

The gross floor area of the commercial units remaining is 1,796.82 sq. ft. The gross floor area total of the residential units, is 3,061.14 sq. ft., where a maximum of 3,593.64 sq. ft. would be allowed. **Thus, this requirement is met.**

2. *Residential dwelling units shall meet the minimum floor area requirements applicable to such units in the R-3 District.*

The required minimum floor area for units in the R-3 District is 600 square feet. The two residential units equate to approximately 1,263 sq. ft. and 1,798.14 sq. ft. respectively, **Thus, this requirement is met.**

3. *Separate parking facilities will be provided for all such dwelling units in accordance with the requirements of Chapter 17.*

In November of 2018, the Village approve an amendment to the required parking spaces for residential uses within the C3, Central Business District from 2 spaces per unit to 1 space per unit. The site plan drawing submitted with the application indicates two parking spaces on the north side of the property off of Lowell Street. This meets the Zoning Ordinance requirements when striped as 9 ft. by 18 ft. spaces. The parking spaces should be designated for residents only on this multi-use property. **Thus, this requirement is met.**

Site Plan Review

In accordance with Section 16.02.A.2, all special land uses require site plan review in all zoning districts. The building changes have already taken place, no further changes are anticipated at this time.

The Planning Commission as discretionary authority to review the exterior changes in accordance with Section 16.08 et seq. of the Zoning Ordinance. However, Staff cannot document whether or not any exterior changes were completed.

Department Reviews

1. Police Department – Police Chief Laude Hartrum – no comments received to date.
2. Department of Public Works (DPW) – Village Manager Chris Brown reviewed the proposal on behalf of the DPW – no comments received to date.
3. Fire Department – Fire Chief Paul Smith – no comments received to date.

Recommendation

After receiving public comment at the Public Hearing of September 24, 2019, Staff recommends that the Planning Commission consider approval of the Special Land Use subject to the following:

1. Comments offered from the Public;
2. The off-street parking spaces must be striped with the appropriate size spaces and designated as resident parking only.

Upon review of the Site Plan by the Planning Commission, Staff recommends approval of the Site plan subject to the following conditions:

1. The off-street parking spaces must be striped with the appropriate size spaces and designated as resident parking only.
2. The applicant must satisfy the requirements of the Michigan Building Code as administered by Oceana County.



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ZONING ADMINISTRATOR'S REPORT

September 6, 2019

The following is a summary of activity conducted by the Zoning Administrator in August, 2019.

Code Enforcement – I placed a Stop Work order on the building at 262 S. Hancock for lack of Zoning and Building Permits because the work being done was much more than replacement of a window, the owner began changing the width of the front façade, a wall that impacts the structural integrity of the building.

Planning Commission

The Planning Commission met on August 27, 2019 to:

- Conduct the public hearing for the 2019 Zoning Ordinance Update.
- Discuss and recommend approval of the 2019 Zoning Ordinance Update.
- Discuss and approve the wrap-around covered porch for the Channel Lane Inn at 10 Channel Lane.
- Set the date of September 24, 2019 for a public hearing to hear a request for expanded residential use of 22 S. Hancock / 35 E. Lowell Street.

Zoning Board of Appeals - The Zoning Board of Appeals did not meet in August, 2019.

Zoning Permits - The following Zoning Permits were issued in August, 2019:

1. 300 Old State Road for an attached garage and breezeway.
2. 34 Georgia Street for a new home in Lites Woods.
3. 817 E. Lake Road for the replacement of a shed.

Other – The Vision Team has been reviewing the results of the Summer Visitor Poll, which ended after Labor Day and is finalizing the larger scale survey, working with Mark Trierweiler from the Centenary Methodist Church to be completed by Pentwater area residents this fall. The questions asked will finalize the initial process of collecting public input from started by the focus groups and town hall meetings that culminated in the Community Assessment conducted in June, 2019.

Sincerely,

Keith J. Edwards

Keith Edwards
Zoning Administrator