

Planning Commission

Regular Meeting Minutes Thursday, September 5, 2013 7:00 p.m., Council Chambers



1. Call to Order by Paull at 7:00 p.m.

2. Roll Call

Present: Frost, Smith, Wall, Webb, Peterson, Paull
Absent: Heinig, Miles

Motion by Smith, second by Frost to excuse members Heinig and Miles.

All in favor. Motion carried.

Paull asked new member Peterson to introduce himself.

3. Approval of Agenda

Motion by Wall, second by Smith to approve the Thursday, September 5, 2013 Planning Commission agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – June 6, 2013

June 20, 2013 (special meeting)
August 1, 2013 (lack of quorum)
August 8, 2013 (special meeting)

Motion by Wall, second by Smith to approve the June 6, 2013 regular meeting minutes; June 20, 2013 special meeting minutes; August 1, 2013 regular meeting minutes and August 8, 2013 special meeting minutes as written.

All in favor. Motion carried.

5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

None at this time.

6. New Business

A. PUBLIC HEARING – ZONING ORDINANCE AMENDMENT

A public hearing to receive comments regarding the adoption of a Corridor Overlay Zoning District for the I-196 Business Loop and M-43 within the city limits of South Haven. The proposed ordinance establishes an overlay zoning district intended to enhance the quality and compatibility of commercial development, to establish consistent design guidelines, to encourage the most appropriate use of lands, to promote the safe and efficient movement of traffic and preserve property values along the M-43/I-196 Business Loop.

Motion by Smith, second by Wall to open the public hearing.

All in favor. Motion carried.

Paull requested that Anderson explain the amendment.

Smith requested a point of order, noting that he has two pieces of property in the area we will be discussing. Smith's question was whether he should recuse himself from any discussion or motions on this situation.

Anderson explained that, no, the way a corridor overlay zoning district is set up there is no immediate property value change to your property. Anderson stated that she would find it hard to excuse Smith from this discussion.

Anderson gave an overview, for the benefit of new people who have not been here for this whole process, about what overlay zoning is, and how it affects what we have in the city now. Anderson explained what zoning is and what types of zones the city consists of. Within each zone, the Zoning Ordinance needs to explain very clearly what uses are allowed, what special uses are available, what the setbacks distances are. Each zoning district is different depending on a number of factors.

Anderson noted that an overlay zone adds another layer of zoning on top of the existing zoning. An overlay zone generally affects an area of properties which all have something in common. When looking at an overlay zone, the underlying zoning remains the same. There are still the same uses and special uses. An overlay zone provides some standardization of regulations within a specific area.

Anderson displayed a map and explained that when the Master Plan was adopted in 2011, one of the goals for the Planning Commission was to develop an overlay zone which would apply standardization from the interchange near the new Meijers store and Phoenix Square over to the downtown through the main business corridor. Zoning was the same for both areas which are very different. The Planning Commission is also interested in making a more pleasant entrance to the city, both from the entrance from the Meijers/Phoenix Square interchange and southern entrances.

Anderson noted that in looking at the total area, it quickly became apparent that there are three distinct areas in the portion of the city being considered for the overlay. Using the map, Anderson pointed out Areas A, B and C, noting that there is a small additional area of Area C on Blue Star Highway across from the Walgreens.

Anderson explained that in looking at the target area, five different zoning districts are included. Progressive Engineering was contracted to look at the areas, take pictures of areas they considered to be problematic, and coming up with graphics and ideas which were used by a sub-committee of the Planning Commission during several months of work.

One of the things that is important about this amendment, Anderson pointed out, is that if this amendment were approved and went into effect tomorrow, nothing would change. Changes only occur to any of the included areas when there is a major renovation or a tear-down. Anderson also noted that in the amendment there is a chart that indicates at what point these requirements are triggered. If a business takes down a sign, the new sign would have to comply. If the business made an addition to their building, that addition would have to comply. If a business tore up a parking lot, the new parking lot and landscaping would have to comply with the overlay zone. Anderson clearly explained that a change of use does not trigger compliance with the overlay zone, nor does a change of ownership. The overlay zoning is only triggered when a major renovation or change to the building occurs, at which time changes must come into compliance. Anderson noted that not every change requires full compliance; there are many different levels of compliance.

Anderson noted that the majority of the changes are modifications; some don't require much at all while others require a bit more. One of the changes is that monument signs have been added to the area near the Meijers interchange. A monument sign is a larger ground sign, according to Anderson, and the overlay zone allows for a somewhat larger monument sign if it matches the exterior of the building. Pole signs in that area, particularly around Wal-Mart, must be lowered to twenty-five (25) feet from the present thirty-five (35) feet, Anderson noted, just as an example.

In the southern areas where residences often abut the business uses, pole signs will not be allowed; more landscaping is required near back lot lines and other small changes that will protect the residential areas.

Anderson also explained the changes that would be implemented regarding parking if this amendment is approved.

Paull called for questions or comments from the Commissioners and the audience. There were none.

Motion by Wall, second by Scott to close the public hearing.

All in favor. Motion carried.

Paull requested any comments from Commissioners; hearing none, Paull explained that if the Commission feels this amendment is complete, it could recommend this be forwarded to City Council for approval. If the Commission feels it is incomplete or needs more work, it could be delayed until any questionable areas are addressed.

Wall stated she feels it is ready to go to Council; Smith concurred. Paull stated he would entertain a motion.

Motion by Wall, second by Smith to recommend this amendment to City Council for approval.

All in favor. Motion carried.

Paull remarked that the next step will be for this amendment to go before City Council and asked what the procedure would be.

Anderson explained that City Council is required to have two readings. During the first reading, the introduction, any comments or changes may be introduced by City Council. At the second reading, they could approve it or the Council could send it back to the Planning Commission if they feel there are things that need to be changed or studied further.

B. REVIEW AND COMMENT – BLACK RIVER PARK IMPROVEMENTS

The planning commission is asked to review and offer comments regarding proposed improvements to the Black River Park.

Paul VandenBosch introduced himself as a representative of the Harbor Commission, and noted that this proposed project started because of the need for a new fish cleaning station was identified. From there, the Harbor Commission wanted to be sure they were putting the station in the right place and continued discussion resulted in the development of a master plan, a long term plan, for Black River Park.

VandenBosch noted that the presentation was in a very early stage and the information being shared was very preliminary. VandenBosch stated that the Harbor Commission is looking for the Planning Commission to review the proposal and make comments at this time.

VandenBosch explained the area under discussion, noting that currently dredge spoil is being placed there and it is somewhat unsightly; the city contracted dredging through the summer and is waiting for the material to dry out. Eventually the dredge spoil site will be flattened; berms will be installed between the waste water treatment plant and the driveway entrance and the site will be capped with gravel as part of our Department of Environmental Quality (DEQ) permit requirement.

VandenBosch explained the process this proposed plan will go through before a final approval from City Council. Once they get final approval city staff will begin to write grants and hope to get some grants to help with this project.

VandenBosch introduced representatives from Abonmarche, Tony McGhee and Kathy Burczak, to talk about the details of the proposed plan.

Ms. Burczak explained the process so far, including presentations for Harbor and Parks Commissions and subsequent revisions. Issues such as traffic flow throughout the boat launch facility and the need for a better fish cleaning station motivated this study. The presentation included discussion of the current amenities and the addition of handicapped accessible restrooms and picnic shelters; better pedestrian and vehicular

access throughout the site and the location of a new fish cleaning station with its own drop-off and parking areas.

An example of a fish cleaning station with good ventilation and easy to clean surfaces was presented along with discussion of several options that can be considered when designing the fish cleaning.

Discussion ensued regarding beautification of the site, green space, future expansion of the wastewater treatment plant and addition of as much greenery and parking areas as possible.

Smith questioned whether any studies had been done to determine if there is a need for overflow parking; VandenBosch explained that the area in question has been used for overflow parking by guests and visitors without the city even indicating that it was meant for parking. VandenBosch referred the Commissioners to the packet, which has an overview of where this is located in relation to the downtown. More than overflow parking for this facility, there is potential for visitors to use this parking facility for visiting the downtown, an art fair or a festival.

Peterson asked whether the riverfront area would remain a soft surface; VandenBosch noted that while the area has been cleaned up it is still not very pedestrian friendly, so that was considered in designing this proposal. Benches, picnic tables and perhaps a picnic shelter may be introduced to that area at some point.

Paull asked for comments from the commissioners. Anderson noted that gravel parking lots are not allowed, however this seems to be a Phase One, so perhaps it will be paved eventually. VandenBosch noted that this area is also used as a place to dump snow from other areas in the winter season so drainage is important as the snow melts. Suggested looking at permeable surfaces, porous paving, "grassphalt" or permeable paving. The dredge spoil area may need a few years to settle before it gets paved. Discussion ensued regarding variances and permitting. Ms. Burczak pointed out the potential for around one hundred parking spaces in that area.

7. Commissioner Comments

Anderson noted there will be a Planning Commission meeting next month with one item on the agenda.

Frost noted school is back in session and we have some great sports teams. He congratulated the middle school boys' cross country team for their win against Lakeview.

8. Adjourn

Motion by Smith, second by Wall to adjourn at 7:42 p.m.

All in favor. Motion carried.

September 5, 2013
Planning Commission
Regular Meeting Minutes

RESPECTFULLY SUBMITTED,
Marsha Ransom
Recording Secretary