Planning Commission

Regular Meeting Agenda

Thursday, April 11, 2013
7:00 p.m., Council Chambers

City of South Haven

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Approval of Minutes** – November 1, 2012
5. **Election of New Vice-chairperson**
6. **Interested Citizens in the Audience Will be Heard on Items Not on the Agenda**
7. **New Business**

   A special use request from Millennium Restaurant Group, represented by Bob Lewis, Kalamazoo, MI, to allow outdoor dining on a dock directly east of the existing Idler restaurant dock. The property is owned by King Landgin LLC, Holland MI. The dock dining area will be associated with the existing Idler restaurant but will operate under a different name. The applicant intends to reconstruct and extend the dock over the water. The parcel number for the property is 80-53-125-200-00 and the zoning is B-3, Waterfront Business.

8. **Discussion of proposed Corridor Overlay Zoning Ordinance**
9. **Discussion of possible amendments to the sign ordinance relating to nonprofit organizations in residential zones.**
10. **Proclamation for Dick Brunvand**
11. **Commissioner Comments**
12. **Adjourn**

South Haven City Hall is Barrier-free and the City of South Haven will provide the necessary reasonable auxiliary aids and services for persons with disabilities, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting upon seven (7) days notice to the South Haven City Clerk. Individuals with disabilities requiring services should contact the City Clerk by writing or calling South Haven City Hall at (269) 637-0700.

RESPECTFULLY SUBMITTED,
Linda Anderson, Zoning Administrator

South Haven City Hall is barrier free and the City of South Haven will provide the necessary reasonable auxiliary aids and services for persons with disabilities, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting upon seven (7) days notice to the South Haven City Hall.

Planning Commission

Workshop Meeting Minutes

Thursday, November 1, 2012
5:30 p.m., Council Chambers

City of South Haven

1. **Call to Order by Chair Brunvand at 5:30 pm.**

2. **Roll Call –**

3. **Present: Brunvand, Paull, Frost, Kozlik-Wall, Soukup, Miles, Bugge and Heinig**
   Absent: Excused was Smith

4. **There was no public comment**

5. **Discussion of M-43/I-196 Corridor Zoning Overlay – Bob Petko, Progressive Eng.**

Petko gave an overview of corridor planning and zoning and discussed specific issues and opportunities found along the M-43/I-196 Business Loop. Extended discussion occurred concerning the different character areas along the corridor and specific needs of each area.

It is expected that draft documents and graphics will be sent to the planning commissioners after the first of the year.

6. **Meeting adjourned at 6:50 pm.**

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

Planning Commission

Regular Meeting Minutes

Thursday, November 1, 2012
7:00 p.m., Council Chambers

City of South Haven

1. **Call to Order by Brunvand at 7 pm**

2. **Roll Call**

   Present: Bugge, Frost, Heinig, Miles, Paull, Soukup, Wall, Brunvand
   Absent: Smith (excused)

3. **Approval of Agenda**

   Motion by Bugge, second by Wall to approve the agenda as submitted.
   All in favor. Motion carried.

4. **Approval of Minutes** – October 4, 2012

   Motion by Bugge, second by Wall to approve the October 4, 2012 minutes as written.

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

   There were none.

6. **Presentation and discussion of the proposed Recreation Plan – Brandy Gildea, Parks and Recreation Supervisor**

   Anderson explained the state requirements concerning local recreation plans and how they may be used by local governments to develop and improve park and recreation facilities. The state of Michigan requires that a community have an updated recreation plan filed with them every five (5) years. This document is a joint project between South Haven city and township, the South Haven Public Schools and the South Haven Area Recreation Authority (SHARA).

   Gildea explained that the plan is required to be goal and health oriented.

   Brunvand asked what was new in this draft plan. Gildea noted the updated census figures are included. The previous plan, adopted in 2008, was a complete makeover

from the earlier plans so this is actually more of an update. As the plan is drafted, Gildea will constantly update the document as it appears on the city website.

Anderson asked what Gildea is looking for from the planning commission at this time. Gildea explained that this meeting is intended to obtain initial feedback from the planning commission. Gildea noted that there have been notices on the city website and in the newspaper inviting public comment. The draft document will need to be made available to the public for at least thirty (30) days before it can proceed to the Parks Commission for preliminary approval.

Bugge asked if there has been a solicitation to the public. Gildea said this meeting is part of the reaching out to the public. Brunvand commented on Elkenburg Park. Miles asked if the SHARP Park was a community endeavor where the city asked for help from the public. The township does not have a Parks Commission. Bugge pointed out that the city part of the plan does not mention that this sort of thing has to come before the Planning Commission which Bugge believes it should.

Wall and Soukup expressed their inability to make any comments or recommendation on this draft without all the sections completed. Soukup added that the recreation plan should reference and borrow from the Master Plan wherever possible. Wall suggested that Gildea talk with Anderson and “pick her brain”.

Brunvand asked members to provide any feedback they may have at this time. Soukup said she needs to see the completed draft document before she can give constructive feedback. Wall agreed saying that the capital improvements schedule is so incomplete that she cannot begin to give overall comments at this time.

Miles noted that the school district has a new superintendent and they may be looking at a bond issue in the next couple of years. He wondered if that could affect any of the projects included in the plan. He also asked about any plans for the former armory property. Gildea noted that the school has sent their section of the plan and that is now on the website.

Brunvand pointed out that parks are a tremendous asset to the city. Saving or obtaining additional access along the lake for public use should be a high priority. He added that he hopes the city can reach agreement with the schools regarding Packard Park. He was also pleased to see the accessibility issues addressed in the plan. He also commented favorably on the South Beach improvements and was pleased that the Planning Commission was able to give input on that project. He suggested having large wheeled chairs available at concession stands for people to use. Gildea said the city is in the process of purchasing the Monroe property.

Brunvand commented on the armory site and the SHARP Park. He thinks that the armory site is where the soccer fields should be located. Brunvand is concerned that the SHARP Park will not get adequate funding because of the inaccessibility of the location.

Brunvand also commented favorably on the plan itself, mentioning several areas that were brought into the plan. Wall gave kudos to Gildea for her department’s help in the cleaning of the bluff area.

Bugge mentioned the Black River and its turbidity and sedimentation. She spoke of the difficulty of getting boats in and out.

Bugge said that the draft plan should provide a clearer explanation of what SHARP and SHARA are and why they were formed.

Bugge pointed out that under the school section it mentions the high school pool as the only one in the city but the Wellness Center has a pool that is available to at least some of the community.

The plan discussed the possibility of a “splash pad” at Riverfront Park. Could that be further explained in the plan? Wall explained that the document is still in the planning stages and part of a grant the city is working on. Gildea explained that many of the listed projects are proposed as possibilities. Gildea mentioned that things can happen despite not being in there, but staff tries to put as many ideas in the plan as possible because there may be a grant available.

Bugge brought up the public input aspect again and Gildea noted that the park commissioners are asked to talk to the public and invite people to their meetings. Gildea noted that she sent out one hundred (100) letters to residents in the area of the Optimist Tot Lot inviting them to come to the next meeting to discuss the possibility of fencing that park for added safety.

Bugge said the duality of the ownership of Packard Park is not mentioned. Wall explained that there are a number of issues involved both legally and financially with that matter at this time. Gildea noted that Packard Park is mentioned in the inventory.

Brunvand spoke regarding user fees. There is nothing in the system or recreation plan for a reservation system. Gildea said it is something that staff may consider again. Gildea calls it the “unguaranteed reservation” system. Brunvand added that the pavilion is an asset.

Gildea will continue to update the website. Bugge suggested that when there is a major update let Anderson, Zoning and Planning Administrator, know so the Planning Commission may be updated.

7. Commissioner Comments

Paull spoke about some draft changes he and staff made to the Zoning Ordinance as a result of a couple of recent Zoning Board of Appeals cases. He asked that other planning commissioners look carefully at what is proposed when the completed draft is made available to members.

8. Adjournment

Motion by Miles, second by Frost to adjourn at 8:03 p.m.
All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

Planning Commission **Staff Report**

Agenda Item #5
Election of New Vice-Chair

City of South Haven

Background Information:

On February 7, 2013, Dick Brunvand submitted his resignation from the planning commission. According to the Planning Commission Bylaws, Article 2, Officers:

> *2.2 Duties. The chairperson shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein. The vice-chairperson shall act in the capacity of the chairperson in the absence of the chairperson and shall succeed to the office of chairperson in the event of a vacancy in that office, in which case the Commission shall select a successor to the office of vice-chairperson at the earliest practicable time.*

In accordance with the bylaws, vice-chair Dave Paull is now the chair and the planning commission shall elect a new vice-chair at this meeting.

Recommendation:

Elect a new vice-chair.

Support Material:

None

Respectfully submitted,
Linda Anderson
Zoning Administrator

Planning Commission **Staff Report**

Agenda Item #7
Dockside Restaurant

City of South Haven

Background Information:

A special use request from Millennium Restaurant Group, represented by Bob Lewis, Kalamazoo, MI, to allow outdoor dining on a dock directly east of the existing Idler Restaurant dock. The property is owned by King Landgin LLC, Holland Mi. The dock dining area will be associated with the existing Idler Restaurant but will operate under a different name. The applicant intends to reconstruct and extend the dock over the river.

Of major concern is the lack of parking for this project. The applicant will need a parking variance from the zoning board of appeals prior to proceeding with this project. The project also needs review by the Harbor Commission and a determination of the correct harbor line.

Recommendation:

Staff does not have a problem with the concept of a dockside restaurant at the proposed location. There are some concerns however with the lack of parking and complete site plan information. (Refer to the case summary for a list of site plan issues not received.)

Planning commissioners should hear any citizen comments offered at the public hearing, review the application and the case summary as found in this packet and determine whether the proposed location is suitable for the intended use and if the application is complete enough for action.

Any approval must be contingent on a parking variance from the ZBA and the review by the Harbor Commission.

Support Material:

a. Application
b. Applicant narrative
c. Letter regarding harbor lines
d. Aerial photo of the site
e. Survey of existing dock and proposed expansion (2)
f. Proposed speaker system
g. Examples of exterior lighting fixtures
h. Examples of furniture
i. Examples of proposed fencing
j. Photos of existing dock (4)
k. Proposed restroom location and access to dock

l. Proposed seating plan
m. Staff case summary

Respectfully submitted,
Linda Anderson
Zoning Administrator

SPECIAL USE PERMIT APPLICATION
CITY OF SOUTH HAVEN
BUILDING SERVICES DEPARTMENT
539 PHOENIX STREET, SOUTH HAVEN, MICHIGAN 49090
FOR INFORMATION CALL 269-637-0760

Date: 3/4/13 Applicant: Bob Lewis (Folea Riverboat)
(If applicant is not the owner of the subject property, a letter granting said applicant authority is required.)

Applicant Address: 519 Williams St # 10

Applicant Phone Numbers: 269-217-1149.

Applicant e-mail: boblewismrg@Hotmail.Com

Subject Property Address: 519 Williams # 10
(A legal description and survey of the subject property is required to be submitted with this application.)

Zoning District: B-3 Waterfront Business

Type of Special Use Requested: Restaurant Service
(A scaled site plan for the subject property is required to be submitted with this application.)

Special Use Section Number: 901

Attach a list of the conditions for approval which apply to your request and comment on how your request will meet those standards:

Applicant shall respond to the general standards in Sec. 1502 below and comment on how the requested Special Use Permit will meet the standards:

General Standards - The Planning Commission shall review the particular circumstances of the special use permit application under consideration in terms of the following standards and shall approve a special use permit application only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:

a. The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
b. The special land use shall not change the essential character of the surrounding area.
c. The special land use shall not be hazardous to the adjacent property, property values, or involve uses, activities, processes, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff, odors, light, glare or other nuisance.
d. The special land use shall not place demands on public services and facilities in excess of current capacity unless planned improvements have already been scheduled for completion.
e. The special land use is consistent with the intent of the Comprehensive Plan.
f. The special land use shall meet the site plan review requirements of Article IV.
g. The special land use shall conform with all applicable state and federal requirements for that use.
h. The special land use shall conform with all standards in this Ordinance and other applicable City Ordinances, including but not limited to parking (see Article XVIII), signs (see Article XX), and standards particular to the special land use found in the District provisions, Schedule of Regulations, or elsewhere.

THE INFORMATION CONTAINED WITHIN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND SUBMITTED TO THE PLANNING COMMISSION FOR REVIEW. THE UNDERSIGNED REALIZES THAT ANY INFORMATION SUPPLIED IN SUPPORT HEREOF THAT IS NOT CORRECT COULD VOID ANY DECISION BY THE COMMISSION. SAID SIGNATOR ALSO ACKNOWLEDGES THAT IF THE PERMIT IS GRANTED, THE WORK WITHIN THE REQUEST MUST BE CARRIED OUT WITHIN ONE YEAR OF SAID APPROVAL OR SAID PERMIT APPROVAL BECOMES NULL AND VOID.

Applicant Signature Bob Lewis **Date:** 3/4/13

Fee due with application: $400.00

Rev. 11/09

send to address in bus. card

Special Permit Application.

General Standards

a. We plan on using the dock space for food and beverage service. Whereas the deck of the Idler is "at times" more for the drinker that wants to eat. The dock space will provide Riverside seating for those that are looking for a great South Haven riverside dining experience. Alcohol would be served.
b. We want to maintain the character of the area as a "dock". All tables, lighting, fencing, etc. would enhance the space as waterfront dock side seating. Examples of such can be supplied.
c. There should be no more requirements on the city of traffic and parking then existed when this space was used for the "Nichols fishing boats". We continue to monitor our own noise levels and work with Chief Martin and the South haven Police department on the control and monitoring of noise levels at our current adjacent location.
d. The use of the space will have no greater demand on public services than currently exist.

   Trash removal would be handled thru the Idler. There would not be a large trash receptacle on the dock.

   Restrooms would be built to fulfill the requirements of the city of South Haven. Ross Rogen and Mike Fields have been contacted to define these requirements. The proposed bathroom location would be on the north end of the space at the location of the "fish cleaning" shed. This area currently is supplied with the plumbing infrastructure.

August 6, 2012

TO: Brian Dissette

FR: Paul VandenBosch

RE: Harbor Lines and Dock Construction

You asked regarding a proposal to construct docks to the east of the Idler, extending out as far as the Idler.

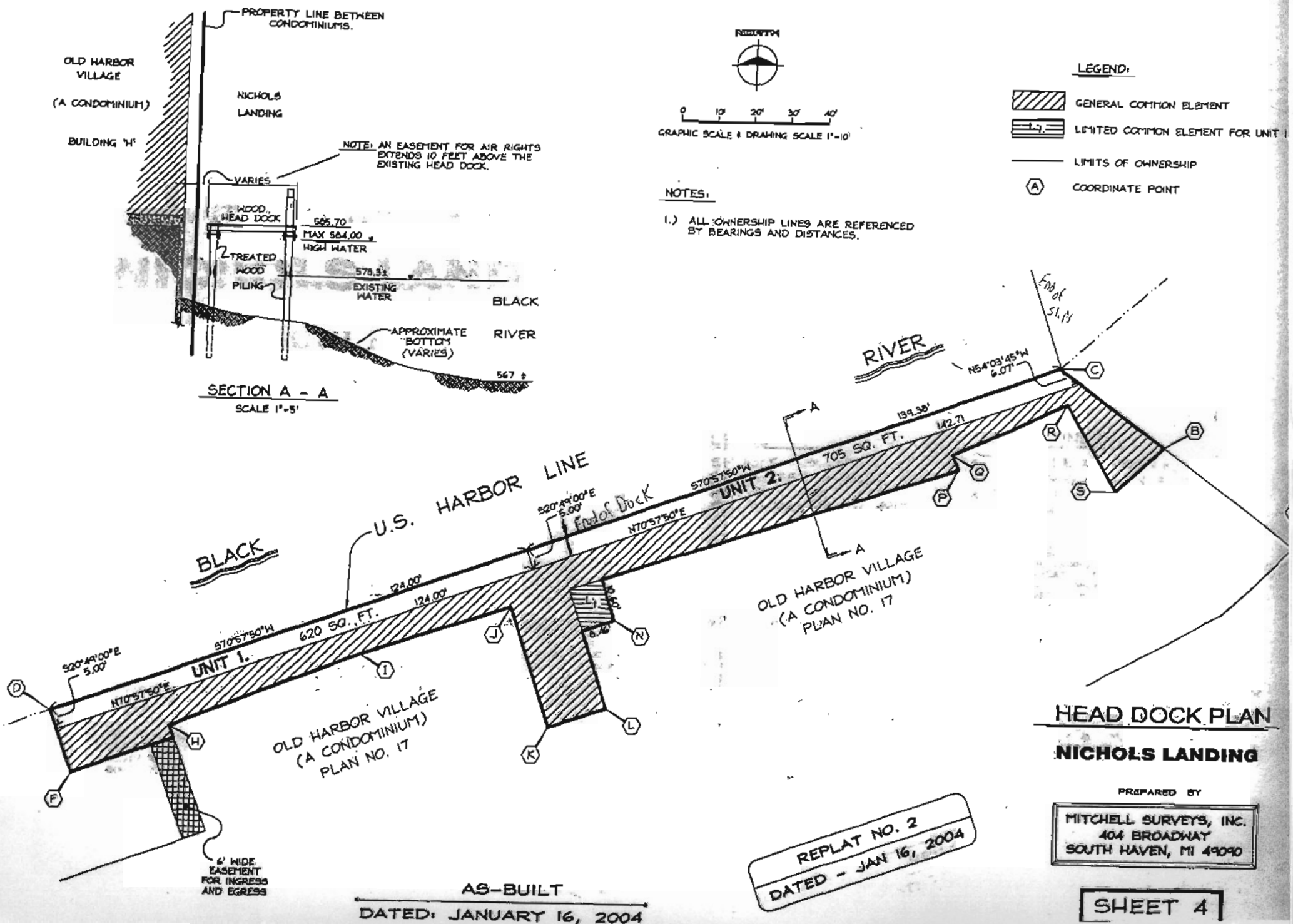
The South Haven Code of Ordinances prohibits construction of permanent dock structures on the river side of designated harbor lines. See the South Haven Code of Ordinances, Section 38-4(8).

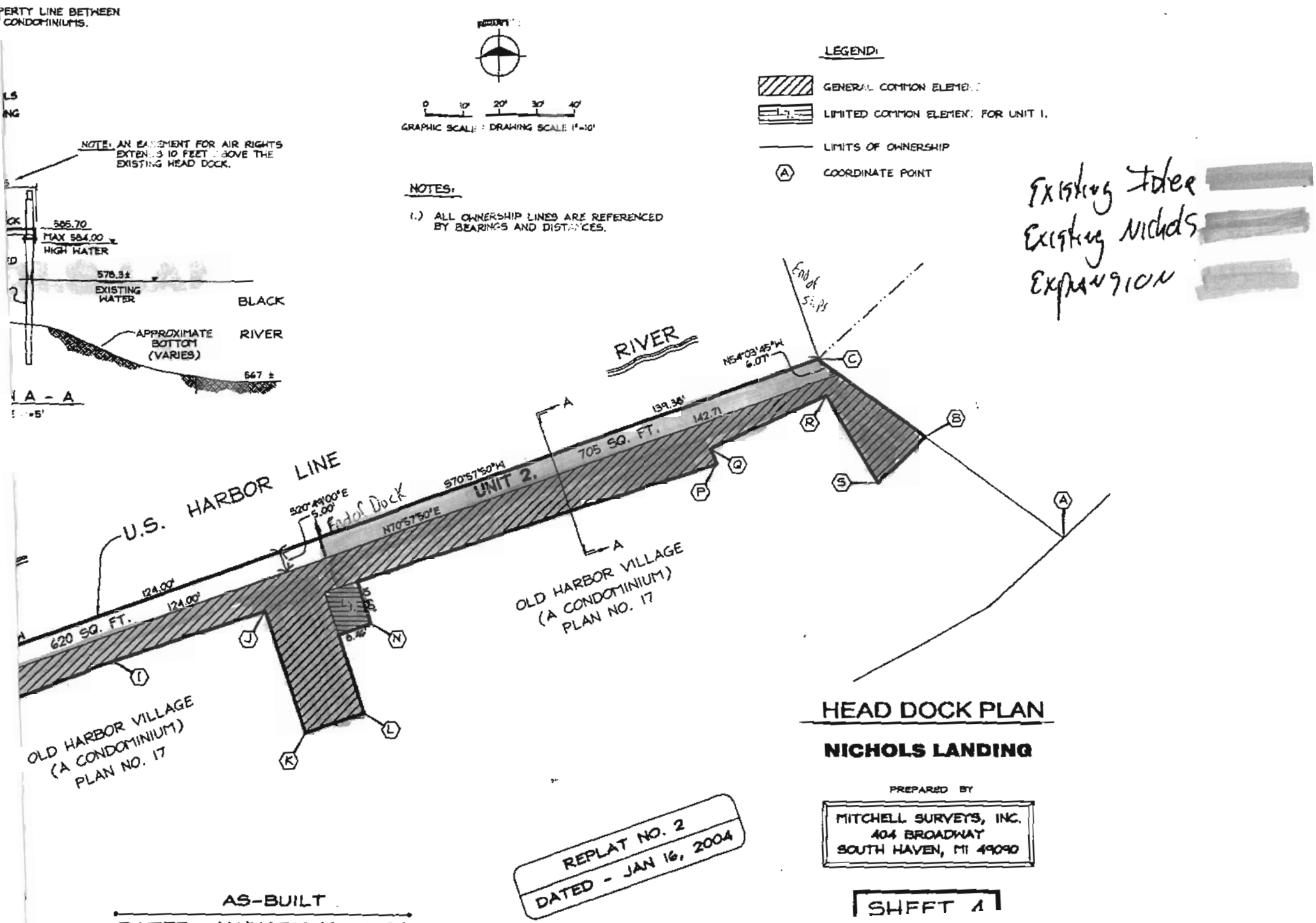
The harbor line runs parallel to the dock about 10 feet into the river in the area of the Idler. (see attached sketch). It is unlikely that a dock which extends past the harbor line would be permitted.

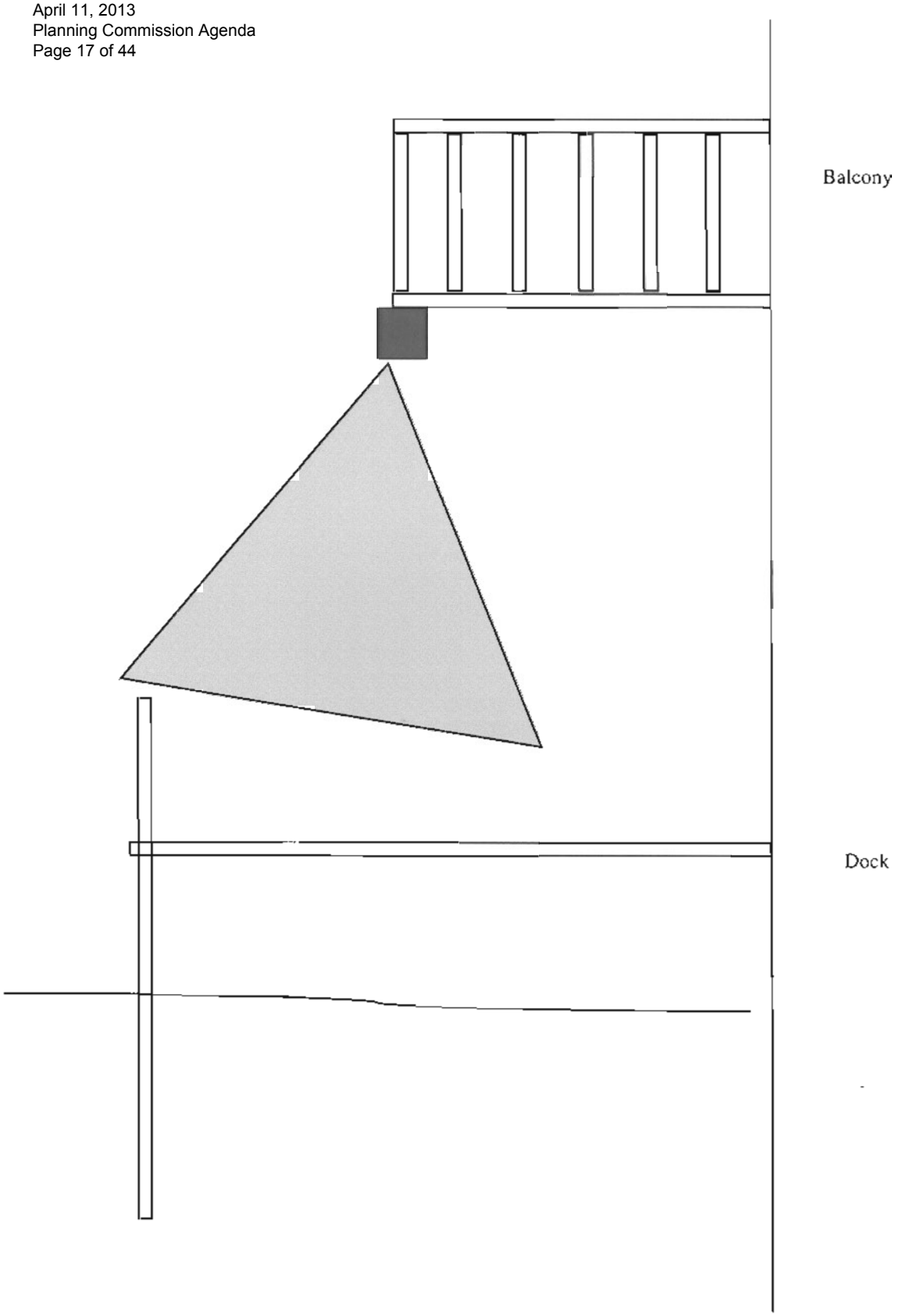
Vessels are permitted to moor and extend past the harbor lines. Vessels are not permitted to obstruct harbor traffic. See the South Haven Code of Ordinances, Section 38-4(3).

I am not sure how the approval process would work with a vessel that is constructed to remain in place (substantially a land structure). It may require a review by the Coast Guard, Army Corps of Engineers, DNR, Fire Marshal, Harbor Commission and/or the City. In order to determine the approval path, more detail is needed.

Harbor Line
Idler 124'
10.5'
Aerial 2011


PROPERTY LINE BETWEEN CONDOMINIUMS.
OLD HARBOR VILLAGE
(A CONDOMINIUM)
BUILDING 'H'
NICHOLS LANDING
NOTE: AN EASEMENT FOR AIR RIGHTS EXTENDS 10 FEET ABOVE THE EXISTING HEAD DOCK.
VARIES
WOOD HEAD DOCK
585.70
MAX 584.00
HIGH WATER
TREATED WOOD PILING
578.3±
EXISTING WATER
BLACK RIVER
APPROXIMATE BOTTOM (VARIES)
567 ±
SECTION A - A
SCALE 1"=5'
NORTH
0 10' 20' 30' 40'
GRAPHIC SCALE & DRAWING SCALE 1"=10'
LEGEND:
GENERAL COMMON ELEMENT
LIMITED COMMON ELEMENT FOR UNIT 1
LIMITS OF OWNERSHIP
COORDINATE POINT
NOTES:
1.) ALL OWNERSHIP LINES ARE REFERENCED BY BEARINGS AND DISTANCES.
BLACK RIVER
U.S. HARBOR LINE
End of Dock
End of Slip
N54°03'45"W 6.07'
139.38'
142.71
705 SQ. FT.
UNIT 2.
S70°57'50"W
N70°57'50"E
S20°49'00"E 5.00'
124.00'
124.00'
620 SQ. FT.
UNIT 1.
S70°57'50"W
N70°57'50"E
S20°49'00"E 5.00'
OLD HARBOR VILLAGE (A CONDOMINIUM) PLAN NO. 17
OLD HARBOR VILLAGE (A CONDOMINIUM) PLAN NO. 17
6' WIDE EASEMENT FOR INGRESS AND EGRESS
A
A
B
C
D
F
H
I
J
K
L
N
P
Q
R
S
REPLAT NO. 2
DATED - JAN 16, 2004
AS-BUILT
DATED: JANUARY 16, 2004
HEAD DOCK PLAN
NICHOLS LANDING
PREPARED BY
MITCHELL SURVEYS, INC.
404 BROADWAY
SOUTH HAVEN, MI 49090
SHEET 4


PERTY LINE BETWEEN
CONDOMINIUMS.
NOTE: AN EASEMENT FOR AIR RIGHTS EXTENDS 10 FEET ABOVE THE EXISTING HEAD DOCK.
585.70
MAX 584.00
HIGH WATER
578.3±
EXISTING WATER
BLACK
RIVER
APPROXIMATE BOTTOM (VARIES)
567 ±
A - A
GRAPHIC SCALE : DRAWING SCALE 1"=10'
0 10' 20' 30' 40'
NOTES:
1.) ALL OWNERSHIP LINES ARE REFERENCED BY BEARINGS AND DISTANCES.
LEGEND:
GENERAL COMMON ELEMENT
LIMITED COMMON ELEMENT FOR UNIT 1.
LIMITS OF OWNERSHIP
COORDINATE POINT
Existing Idea
Existing Nichols
Expansion
RIVER
End of Slips
N54°03'45"W
6.07'
139.38'
142.71
705 SQ. FT.
S70°57'50"W
UNIT 2.
N70°57'50"E
S20°49'00"E
5.00'
End of Dock
U.S. HARBOR LINE
124.00'
124.00'
620 SQ. FT.
OLD HARBOR VILLAGE
(A CONDOMINIUM)
PLAN NO. 17
OLD HARBOR VILLAGE
(A CONDOMINIUM)
PLAN NO. 17
REPLAT NO. 2
DATED - JAN 16, 2004
AS-BUILT
HEAD DOCK PLAN
NICHOLS LANDING
PREPARED BY
MITCHELL SURVEYS, INC.
404 BROADWAY
SOUTH HAVEN, MI 49090
SHEET 4



It would be proposed that music speakers (in Orange) be positioned at the bottom of the overhanging balcony and directed down to the tables and guest (yellow) so as to limit any noise that would flow to the hotel and their guests.

Union Single Post Mount Exterior Light

$318.00

Seaside Radial Wave Reflector Single Post Mount Exterior Light

$319.00

Seaside Radial Wave Single Post Mount Decorative Exterior Light

$424.00

Aero Double Post Mount Exterior Light

$614.00

Bomber Single Post Mount Decorative Exterior Light

$413.00

Bomber Double Post Mount Exterior Light

$636.00

Union Double Post Mount Exterior Light

$643.00

Avalon Double Post Mount Exterior Light

$592.00

Wilcox Single Post Mount Exterior Light

$307.00

Union Single Post Mount Decorative Exterior Light

$418.00

Wilcox Double Post Mount Exterior Light

$625.00

Sky Chief Single Post Mount Decorative Exterior Light

$429.00

Sterling Deep Cone Reflector Single Post Mount Exterior Light

$313.00

Wilcox Single Post Mount Decorative Exterior Light

$413.00

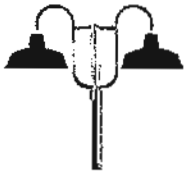
Sterling Deep Cone Reflector Double Post Mount Exterior Light

$588.00

Sky Chief Double Post Mount Exterior Light

$658.00

Union Decorative Double Post Mount



Avalon Decorative Double Post Mount

Bomber Decorative Double Post

Post Mount Lighting

Liven up your driveway, dock, or patio with one of a kind Post Mount lighting. Available with several of our most popular shades, these exterior lights can also be customized in almost 60 finish options. Don't forget – a Post Mount Light isn't complete without a base - matching posts are sold separately in several coordinating design choices.

Period Basic Circa 1910 Post Mount

$356.00

Yarmouth Orb Lantern

$512.00

Gold Rush Single Post Mount Exterior Light

$314.00

Excavator Single Post Mount Exterior Light

$385.00

The Cape Hatteras Post Mount Light

$409.00

Avalon Single Post Mount Exterior Light

$296.00

Avalon Single Post Mount Decorative Exterior Light

$380.00

Aero Single Post Mount Decorative Exterior Light

$391.00

Bomber Single Post Mount Exterior Light

$307.00

Sky Chief Single Post Mount Exterior Light

$318.00

Seaside Radial Wave Reflector Double Post Mount Exterior Light

$647.00

Aero Single Post Mount Exterior Light

$307.00

Dinner Plans: Quay's Unique Outdoor Dining

A new patio at water level and a few August specials make Quay the place to dine this weekend.

AUGUST 03, 2012

Tweet4 Share13 Pin It1 +10 Share19

Although most restaurants have had their outdoor spaces open since early summer, Quay Restaurant and Bar's new floating dockside patio was well worth the wait. The 3,000-square-foot space, opened late last month, is the only spot in the city where diners sit at water level, instead of overlooking it.

Quay's alfresco menu isn't as extensive as its indoor counterpart, but the dishes are just as gourmet. Tarte flambé flatbread features Wisconsin applewood bacon, wilted onions, and fromage blanc; and the roasted beet salad is the perfect summer dish with Chioggia and Detroit red beets, frisee mint, candied walnuts, fresh horseradish, and a yogurt dressing. Sandwiches and burgers are also available, as well as refreshing cocktails.

Inside, where guests can still take advantage of the gorgeous river views through floor-to-ceiling windows, chef Dan Marquis has prepared a few special dishes for August in honor of Tomato Month. His heirloom tomato pizza mixes fromage blanc, smoked mozzarella, truffle oil, and purple basil, with some ingredients straight from the chef's Mill Road Farms in Sheffield, Illinois. The gazpacho is a must-try, as is the pan-seared bronzino, which features worldly ingredients like heirloom tomatoes, red kamatsuna greens (also from chef Marquis' farm), Chinese eggplant, shaved fennel, Thai basil, and dashi broth. 465 E. Illinois St., 312-981-8400

—ELLE EICHINGER

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FEATURED VIDEO

Candace Jordan Teams Up with CAMP Cosmetics

Behind the scenes of Candace Jordan's shoot for makeup line CAMP Cosmetics.

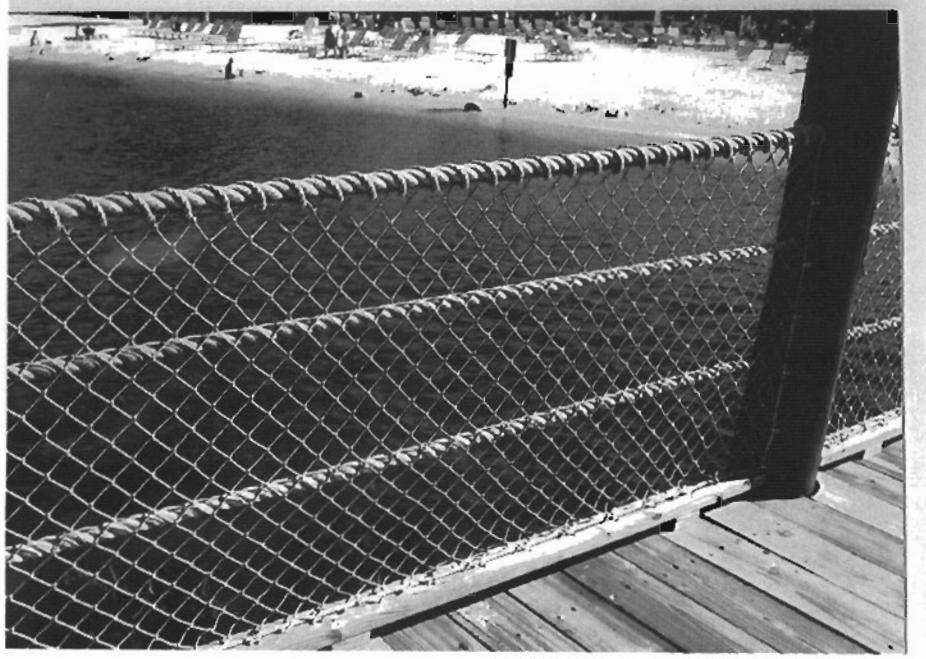
Recommended Stories

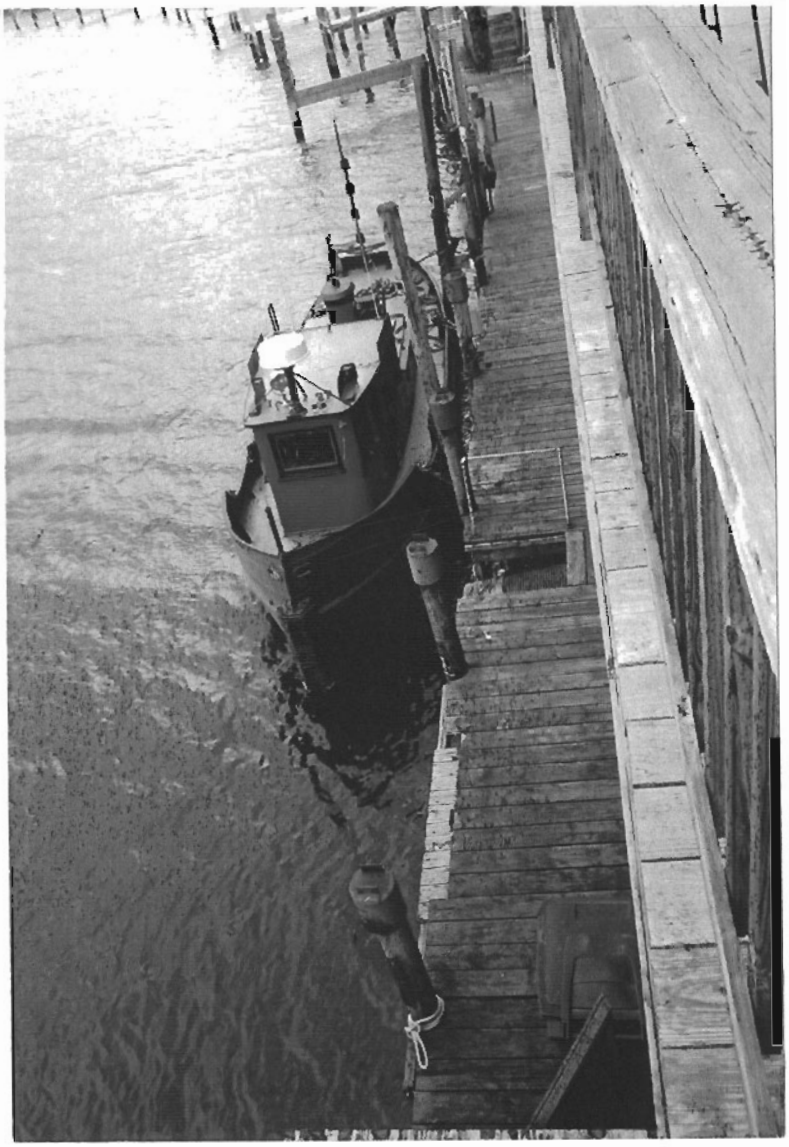
Bikini baristas serving up too much skin? (Fox News)

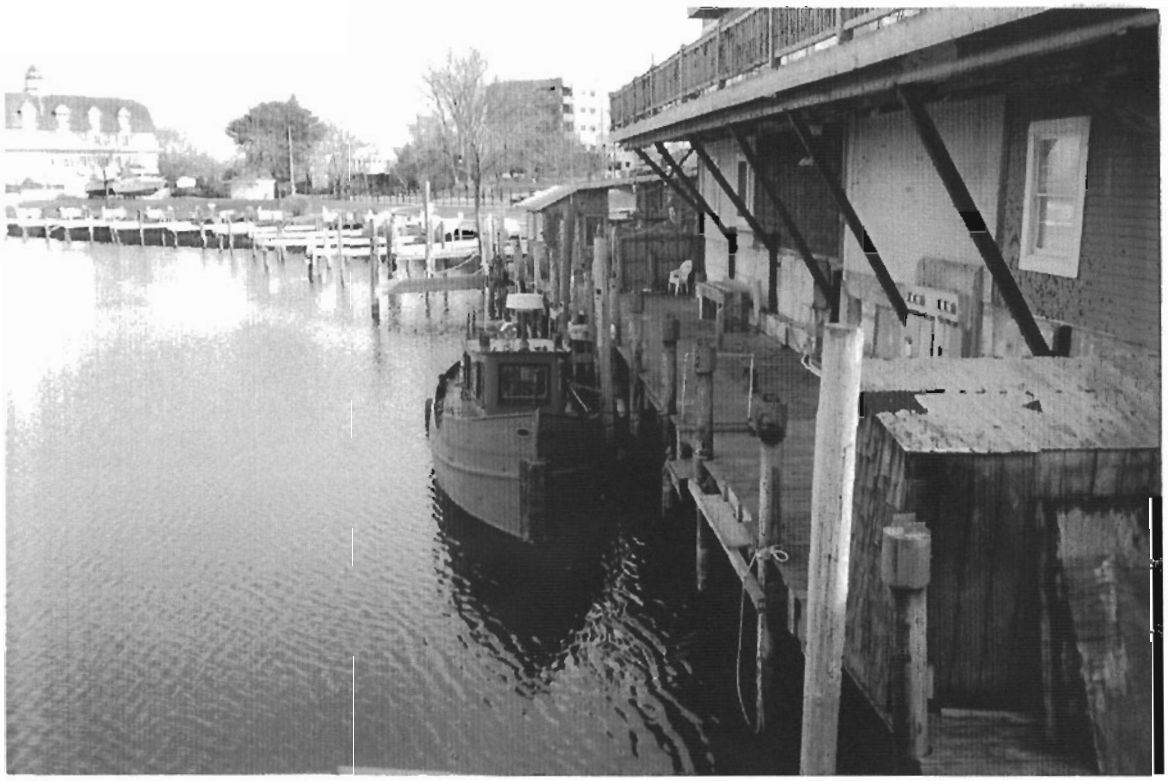
The Drake Hotel Debuts History Tea

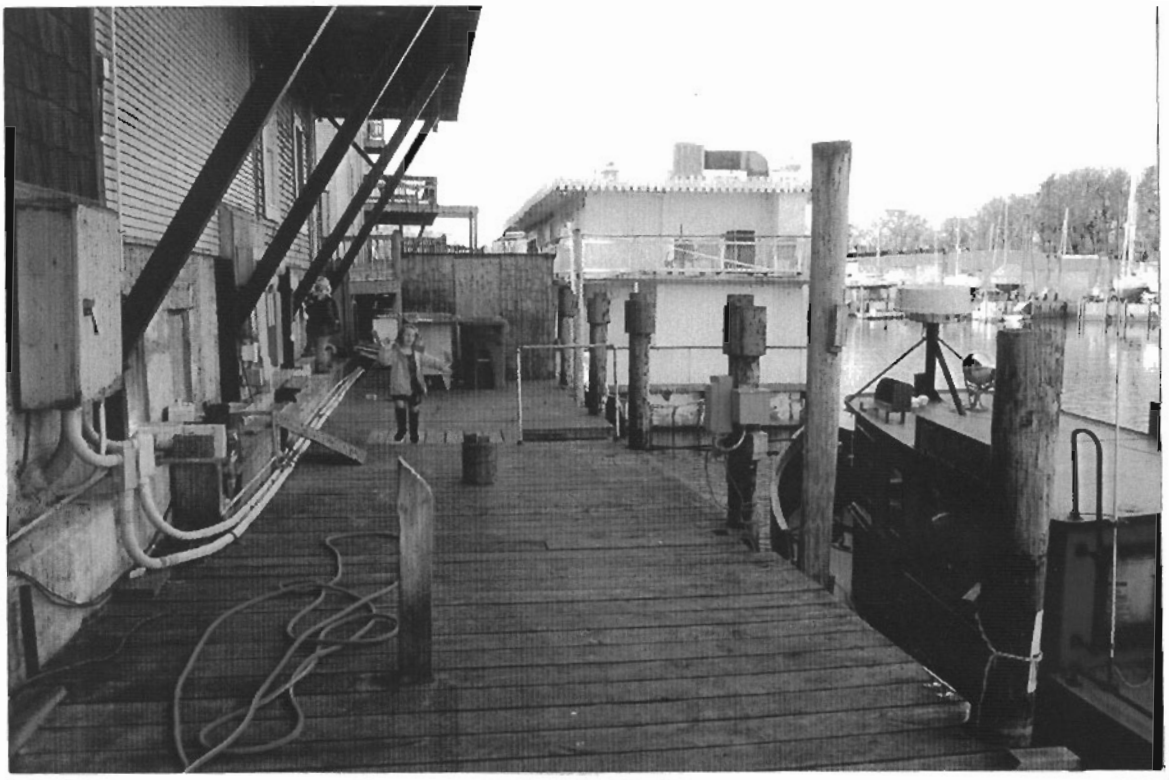
Brunch Plans: Sable Kitchen & Bar

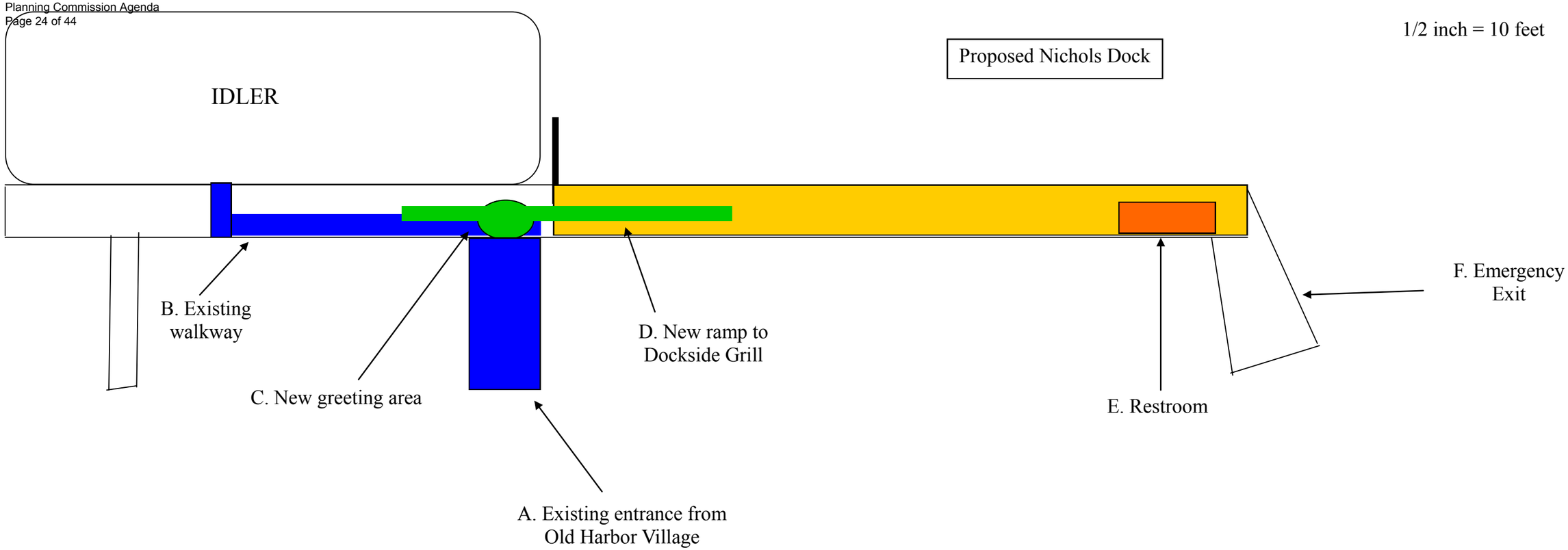
Chicago Native Michelle Williams In Fela!











The Idler has the existing entrance from the Old Harbor Village. (A). The guests enter the Idler on the upper level via the existing walkway (B).

We would move our greeting station to the area C. So that we could direct the guest to either the Idler or the Dockside Grill.

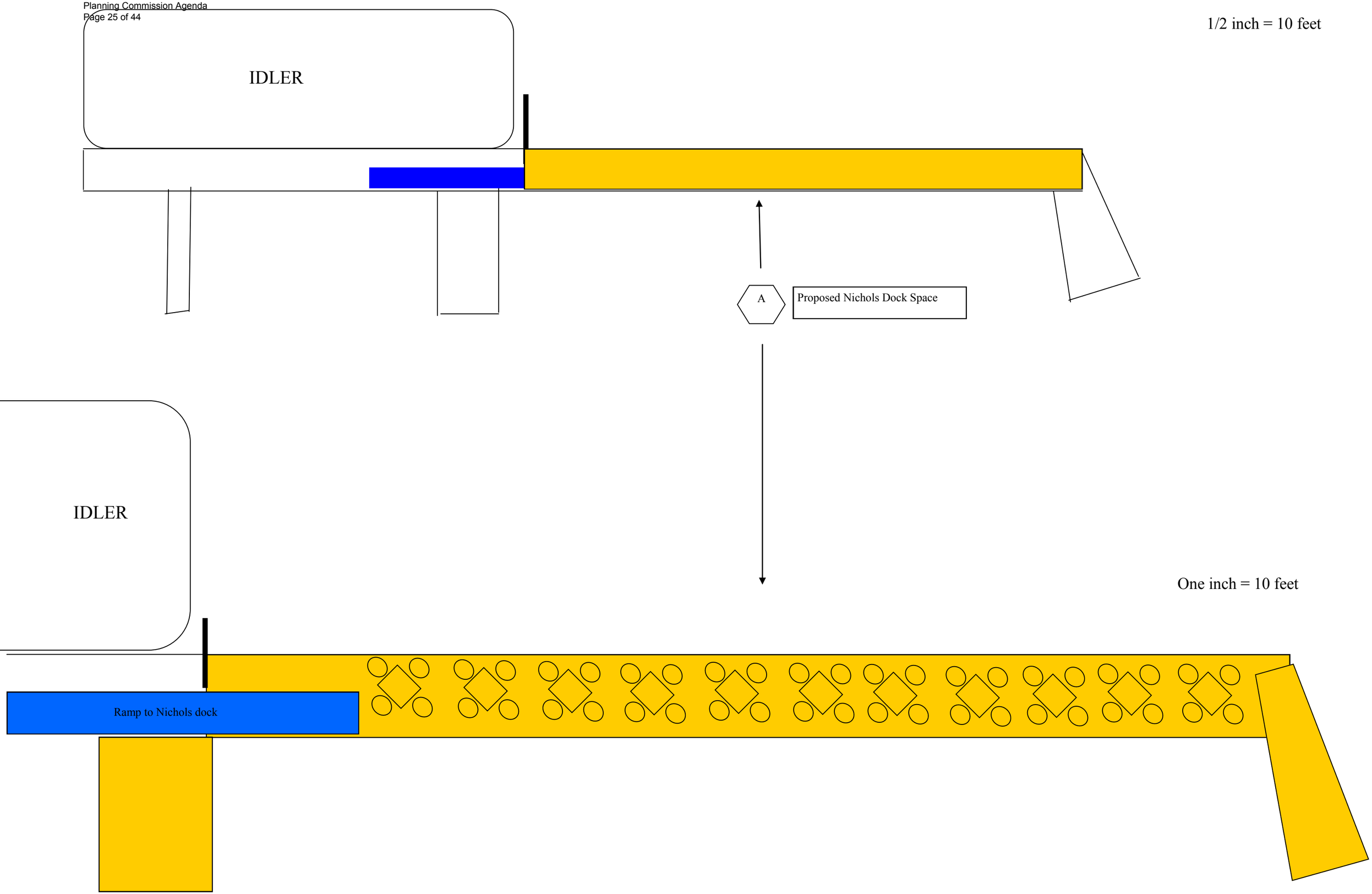
The guest would continue to enter the Idler via the existing walkways. (blue).

To enter the Dockside grill they would take the new ramp (D). This ramp would drop the guest to the dock level. The rate of the drop would be one inch drop per one foot of run.

There would be an emergency exit at the north end of the dock (F). This exit already exists.

The restrooms would be in the current location of the fish cleaning building (E). We would keep the existing physical exterior look of that building. Interior would be of materials that are cleanable and fall within requirements . Exterior would be Cedar shingles with white trim . The roof would be shingled. The restroom would be sized to accommodate the seating capacity of the space.
Per the most recent conversation with Building and plumbing officials a “unisex” restroom with a sink and toilet may suffice due to the seating capacity. If the extension of the dock would happen then we would expand the restroom to meet code.

1/2 inch = 10 feet



AGENDA ITEM #7
LEWIS SPECIAL USE APPLICATION
GENERAL INFORMATION

Case Number.....2013 - 0003-SU

Date of Plan Commission.....04.11.2013

Applicant.....Bob Lewis (Representing Millennium Restaurant Group)

Request .....A special use permit to allow outdoor dining on a dock

Location .....515 Williams #10

Parcel Numbers…….. 80-53-125-200-00

Size.....139' 38" (142'2") x 11' (approx. 1540 sq. ft.)

Street Frontage.....NA

Current Zoning.....B-3 Waterfront Business

Proposed Zoning.....No change

Contiguous Zoning.....North: Black River
South: CBD, Central Business District
East: B-3
West: B-3

Current Land Use.....Dock

Contiguous Land Uses.....North: River
South: CBD
East: Commercial
West: Residential commercial mix

Comp Plan Designation .....Waterfront and Related Commercial/Recreation

CHARACTER OF THE AREA
This is an area with a mix of condominium style housing and commercial businesses. Some of the businesses are seasonal as would be the applicant business.

DEVELOPMENT PROPOSAL
A special use request from Millennium Restaurant Group, represented by Bob Lewis, Kalamazoo, MI, to allow outdoor dining on a dock directly east of the existing Idler Restaurant dock. The property is owned by King Landgin LLC, Holland Mi. The dock dining area will be associated with the existing Idler Restaurant but will operate under a different name. The applicant intends to reconstruct and extend the dock over the water. The parcel number for the property is 80-53-125-200-00 and the zoning is B-3, Waterfront Business.

PUBLIC RESPONSE
NA

EVALUATION
The following relevant provisions of the Zoning Ordinance are followed by a statement representing the status of the subject property as it relates to that provision.

Article XV (Section 1502, Basis of Determination):

1. **General standards** - the Planning Commission shall review the particular circumstances of the special use permit application under consideration in terms of the following standards and shall approve a special use permit application only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this ordinance:

   A. The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

   Construction is relatively minimal for this project. The applicant intends to rebuild and extend the existing dock to provide area for outdoor dining. There will also be installed fencing and lighting. Given the nature of the business, it should complement the character of the neighborhood provided noise, lighting and refuse disposal are in compliance with local ordinances.

   B. The special land use shall not change the essential character of the surrounding area.

   Since the essential character is that of a seasonal shopping and dining district, the outdoor dining proposed is not out of character with the surrounding area.

   C. The special land use shall not be hazardous to the adjacent property, property values, or involve uses, activities, processes, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff, odors, light, glare or other nuisance.

   No hazardous impacts are anticipated provided the applicant complies with city ordinances concerning lighting, noise and property maintenance.

   The applicant states the hours of operation as: "we would open for lunch at 11 am daily. Dinner would probably run to 10:00 pm during the week and Sunday and to 11:00 pm on Friday and Saturday. This location is meant to offer a great waterside dining experience."

   D. The special land use shall not place demands on public services and facilities in excess of current capacity unless planned improvements have already been scheduled for completion.

No additional demands on public services are expected.

E. The special land use is consistent with the intent of the comprehensive plan.

The 2011 Master Plan future land use chapter recommends that properties in this category "should retain the character typical of a waterfront resort community". Waterfront dining is one way to provide residents and visitors to the area an alternative dining experience. Staff found nothing in the Plan which would be counter to this application.

F. The special land use shall meet the site plan review requirements of Article IV.

The following items have not yet been addressed or are lacking complete information:

1) *Small scale sketch of properties, streets and use of land within one half (1/2) mile of the area.*

2) *A generalized map showing:*

    a. *Ingress and egress points for the restaurant.*
    b. *Signs - location and any proposed sign lighting.*
    c. *Restrooms building elevations and floor plan.*

3) *In an email from the applicant, refuse removal was explained as: "We (the applicant and John Marple, manager of the Old Harbor Village) discussed the garbage situation and have a plan for the Idler to use the new dumpsters across the street at the North end of the parking lot." Staff would like to see a written agreement to this effect.*

4) *When asked, the applicant stated that he anticipated installing lighting fixtures where the 6-8 piling now stand. We are unsure if this means he will attach the light fixtures to the pilings or have some other method of installation.*

5) *The staff has received illustrations which generally depict the proposed furniture and fencing. The planning commission should determine if more specific details are required.*

G. The special land use shall conform to all applicable state and federal requirements for that use.

The applicant will also need the Harbor Commission recommendation for this proposed use before a final decision is made.

H. The special land use shall conform with all standards in this ordinance and other applicable city ordinances, including but not limited to parking (see Article XVIII), signs (see Article XX), and standards particular to the special land use found in the district provisions, schedule of regulations, or elsewhere.

*The ordinance requires for restaurants, "*one (1) parking space for each seventy-five (75) square feet of usable floor area or one (1) for each two (2) persons allowed within the maximum occupancy load as established by the local fire marshal".

The number of required parking spaces cannot be determined until the fire marshal determines maximum seating capacity.

The application includes no off-street parking. There is parking available in the CBD, but that is intended for visitors to the CBD. This waterfront zone is across the street from the CBD but cannot be considered part of it. The applicant will need to obtain a variance from the ZBA to proceed without parking.

(The Old Harbor Village also does not have any off-street parking but the situation is not the same. At the time Old Harbor Village was established, the city had in place a Community Parking Plan whereby developers could pay a one-time fee in lieu of providing parking. Old Harbor Village took part in that program which no longer exists in the city.)

RECOMMENDATION

While staff believes the use is appropriate for the location, the lack of parking and insufficient site plan and application materials cannot be overlooked. The planning commission members need to review the case summary, visit the site and determine if this application for a special use permit meets the intent of the city plans and ordinances and, if it does, include the following conditions, at a minimum:

1. The applicant needs to document the Harbor Commission recommendation. The next Harbor Commission meeting is scheduled for April 16, 2013;
2. The applicant will need to obtain a variance from the ZBA for parking. The next scheduled ZBA meeting will be on May 20, 2013;
3. All site plan elements need to be adequately provided as explained in this review.

Planning Commission **Staff Report**

Agenda Item #8

Corridor Overlay Ordinance Review

City of South Haven

Background Information:

Available planning commission members have been meeting for the past weeks to review and refine the attached Corridor Overlay Zone text. As you know, this overlay text applies to nonresidential properties adjacent to the M-43/I-196 business loop through the city. It is intended to standardize signage, landscaping and setback standards in 3 distinct areas of the corridor. This overlay zone does not change existing zoning nor does it alter application procedures. The ordinance does not require any changes to existing commercial properties. Compliance with the ordinance will occur only as businesses are rebuilt or major modifications to the properties occur.

Recommendation:

Please review this draft ordinance and be ready to discuss it at the meeting. Once the planning commission is satisfied with the text, we will schedule an open house for property owners along the corridor. Following that we will hold a public hearing and make a recommendation on adoption to the city council.

Support Material:

Draft M-43/I-196 Business Loop Corridor Overlay Zoning District

Respectfully submitted,
Linda Anderson
Zoning Administrator

CITY COUNCIL
CITY OF SOUTH HAVEN
Van Buren and Allegan Counties, Michigan

Council member_____, supported by Council member_____, moved the adoption of the following ordinance:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR THE CITY OF SOUTH HAVEN TO INCLUDE PROVISIONS FOR THE M-43/I-196 BUSINESS LOOP

The City of South Haven Ordains:

Section 1. Amendment. The South Haven Zoning Ordinance is amended to include Article XXIV, An ordinance to amend The City of South Haven Zoning Ordinance as amended to add a Corridor Overlay Zoning District.

ARTICLE XXIV

M-43/I-196 BUSINESS LOOP CORRIDOR OVERLAY ZONING DISTRICT

SECTION 2400. INTENT

The district is established to enhance the quality and compatibility of 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 through the City of South Haven, Michigan.

Specifically the Overlay Zone is intended to:

1. Accommodate a variety of uses as permitted by the underlying zoning, and ensure such uses are designed to achieve an attractive built and natural environment.
2. Provide site design standards that are developed specifically for the areas in order to promote harmonious development and complement the natural characteristics in the City.
3. Ensure safe access for vehicles and pedestrians.
4. Provide landowners with reasonable and safe access via the use of shared driveways, service drives, and access from side streets.
5. Require demonstration that prior to approval of any land divisions, the resultant parcels is accessible through compliance with the access standards herein.
6. Ensure that distractions to motorists are minimized by avoiding blight and clutter while providing property owners and businesses with appropriate design flexibility and visibility.
7. Establish uniform standards to ensure fair and equal application.
8. Address situations where existing development within the Overlay Zone does not conform to the standards of this chapter.
9. As development continues, it is the intent of the city to provide regulations which protect the adjacent residential properties.

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In order to accommodate the varying characteristics found along M-43 and I-196 in the city, this zoning overlay district is divided into three (3) Areas.

Area A includes the B-4 zoned parcels along Phoenix Street from the I-196 Interchange west to Blue Star Highway. These areas are characterized as accommodating highway oriented businesses. It is anticipated that large retailers and those needing highway access will continue to be drawn to these areas.

Area B includes parcels from the Phoenix Street and Pearl Street intersection west to Broadway Street and south along Broadway to Superior Street. The area provides for compact development similar to that found in the Central Business District. Walkability and nonmotorized access to this area is critical.

Area C comprises the remainder of the corridor overlay properties as well as properties along the west side of Blue Star Highway south from Phoenix Street to Superior Street. This is generally an area which is developing with a large number of medical and professional services. The scale of new development and the transportation orientation of this Area are important factors in establishing the building element requirements contained in this Article.

The overlay zoning map graphically depicts the Area boundaries.

SECTION 2401. APPLICABILITY

1. Except as otherwise provided in this Section, the regulations herein apply to all existing or future parcels directly adjacent to or having access on the M-43/I-196 Corridor through the City of South Haven.

2. Single-family dwellings are exempt from these Overlay Zone regulations, unless the dwelling is later changed to a nonresidential use as permitted in the underlying zone.

3. Where the standards of this Overlay Zone are more restrictive, as determined by the Zoning Administrator, such standards replace those that apply to the underlying zoning district. For example, if the underlying zoning district illustrated on the City Zoning Map is B-2, the uses listed as permitted in Section 901 are permitted for that lot, but the access, landscaping, setbacks, freestanding signs and building facade must comply with this Overlay Zone.

4. Proposed planned unit developments (PUD) within the Overlay Zone shall generally be consistent with the standards herein, but may be modified by the planning commission based upon the specifics of the particular site and proposed use(s).

SECTION 2402. APPLICABILITY MATRIX

The standards described or referenced in this Ordinance apply to both new and existing development as listed or exempted in the following table for all parcels in the Overlay Zone. All development in the Overlay Zone shall require full compliance with all applicable regulations including reviews, approvals, and permits from the planning commission prior to the start of any project or land disturbance.

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	LANDSCAPING/SIGN IMPROVEMENTS	FASCADE IMPROVEMENTS	DISCRETIONARY IMPROVEMENTS*	FULL COMPLIANCE
Parking Area Expansion (5% or greater increase in spaces)				
Any New or Expanded Parking Area	X		X	
Existing Development				
Change in Use – Minor**	X		X	
Change in Use – Major***	X	X	X	
Reoccupation of Principal Building after Extended Vacancy (Greater than 180 consecutive days)	X		X	
Alteration of Existing Principal Building (When site plan review is required and/or the alteration involves a building increase over 20% of the existing building size)	X	X (for expanded portion)	X	
Renovation Due to Disaster (fire, flood, tornado, etc.)		X		
New Construction				
New Construction (Including tear down redevelopments of 60% or more of existing structure)	X	X		X

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* The planning commission may have discretion in required improvements based upon the circumstances of the property. In determining whether to impose discretionary improvements of the Overlay Zone, the planning commission shall determine whether those improvements are reasonably necessary to ensure compliance with the standards of Section 1502 for Special Land Uses.
** A minor change in use occurs when one permitted land use is replaced by a different permitted land use.
*** A major change in use occurs when one permitted land use is replaced by a special land use, a special land use is replaced by a different special land use, or the property is rezoned to allow for a different permitted or special land use.

X = Compliance with regulations required.
No **X** = Compliance not required.

SECTION 2403. PERMITTED AND SPECIAL USES

Permitted and special land uses within the Overlay Zone shall be as regulated in the underlying zoning district (as designated on the Zoning Map) with the following additional provisions:

1. To ensure adequate information is provided to evaluate the impact on traffic operations, any permitted use that can be expected to generate 50 peak hour directional trips or 100 peak hour trips (in and out) or 1000 trips during a typical day shall be classified as a special land use. Calculations of trips shall be based on the most recent edition of Trip Generation published by the Institute of Transportation Engineers. The applicant shall be responsible for providing the traffic calculations for review. Where no information is provided, the City shall make the determination. (A guideline that lists typical sizes for various uses where the thresholds are met is available from the zoning administrator.)

2. Any site that provides more than the minimum parking required shall be considered a special land use.

3. The use and site design shall comply with the standards of this section and other applicable regulations of the Overlay Zone.

4. Outdoor cafes and outdoor seating shall be allowed by special use permit in Area B subject to Section 1502 and 1510.34 as applicable. If the outdoor seating encroaches on public property, a license agreement shall be approved by the city council.

5. For special land uses, the following standards shall be considered along with those listed in Section 1502:

    a. The building and site design will be designed to promote consistency and quality of development within the Overlay Zone.
    b. Access spacing from intersections, other driveways, and any median crossovers will meet the standards within the Overlay Zone and will meet the standards of the applicable road agency (MDOT or the Van Buren County Road Commission), and will be the maximum practical.

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c. Provision will be made to share access with adjacent uses, either now or in the future, and shall include written shared access and maintenance agreements to be recorded with the Van Buren County Register of Deeds.
d. Traffic impacts associated with the proposed use will be accommodated by the road system without degradation in the level of service[1] below one grade (example from B to C) but in no case shall any movement(s) be projected at a level of service below D, unless improvements are being made to address the impacts.

SECTION 2404. SUBMITTAL INFORMATION

In addition to the submittal information required for site plan review in Section 1403, the following shall be provided with any application for site plan or special land use review. The information listed in items 1-4 below shall be required with any request for a land division.

1. Existing access points within 500 feet of the frontage, on both sides of any adjoining roads, shall be shown on the site plan or on a separate plan sheet.

2. Information on sight distance. The applicant shall submit evidence indicating that the sight distance requirements of the MDOT or Van Buren County Road Commission, as applicable, are met.

3. Dimensions between proposed and existing drives, intersections, and any median crossovers shall be shown.

4. Where shared access is proposed or required, a shared access easement and maintenance agreement shall be submitted for approval. Once approved, this easement shall be recorded with the Van Buren County Register of Deeds.

5. The site plan shall illustrate the route and dimensioned turning movements of any expected truck traffic, tankers, delivery vehicles, waste receptacle vehicles and similar vehicles. The plan should confirm that routing the vehicles will not disrupt operations at the access points nor impede maneuvering or parking within the site. All ingress and egress shall be by forward movement unless waived by the planning commission based on lot size.

6. Traffic impact study. Submittal of a traffic impact study may be required for any special land use that would be expected to generate 100 or more vehicle trips during any peak hour, or 1000 or more vehicle trips daily, or where modifications from the generally applicable access spacing standards are requested. The traffic impact study shall be prepared by a firm or individual that is a member of the Institute of Transportation Engineers with demonstrated experience in production of such studies. The methodology and analysis of the study shall be in accordance with accepted principles as described in the handbook “Evaluating Traffic Impact Studies, a Recommended Practice for Michigan,” developed by the MDOT and other Michigan transportation agencies.

[1] As established by the Transportation Research Board, Washington DC.

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7. Review coordination. The applicant shall provide correspondence that the proposal has been submitted to the MDOT or Van Buren County Road Commission, as applicable, for their information. Any correspondence from the MDOT and VBCRC shall be considered during the site plan review process. The City may request attendance at coordination meetings with representatives of the applicable road agency. An access permit shall not be requested from the road agency until a land division or site plan is approved by the City. The approval of a land division or site plan does not negate the responsibility of an applicant to subsequently secure access permits from the road agency.

8. Building elevations. Elevation drawings shall be submitted illustrating the building design and height, and describing construction materials for all proposed structures. Elevations shall be provided for all sides visible from an existing or proposed public street or visible to a residential district. Color renderings of the building shall be submitted for planning commission review and approval. Proposed materials and colors shall be specified on the plan and color chips or samples shall also be provided at the time of site plan review. These elevations, colors and materials shall be considered part of the approved site plan.

9. Sign Design Details. Information shall be given on all proposed signs, including details on the base materials and sign materials, and on landscaping around the base. Material used for all proposed signs (whether freestanding or ground) is acceptable only if found by the planning commission to be similar to or at least compatible with materials used for the principal building on the lot where the signs are located.

10. Parking Information. A parking study shall be required wherever requested parking or paved areas exceed the minimum required by this Ordinance.

SECTION 2405. DIMENSIONAL STANDARDS

General

Variable front and rear setback. The planning commission may reduce the required front and rear yard setback by up to 10 feet for the greenbelt and up to 10 feet for the building from that required along the corridor frontage upon a finding that the reduced setback is due to lot depth.

1. Front Yard Setback.
   Area A - Buildings shall be set back a minimum of 50 feet from the right-of-way.
   Area B – As provided in zoning ordinance Section 603.
   Area C – Buildings shall be set back a minimum of 25 feet from the right-of-way.

2. Side Yard Setback.
   Area A – 30 feet
   Area B – Per zoning ordinance section 603.
   Area C – 20 feet

3. Rear Yard Setback.
   Area A – 30 feet if abutting commercial zone; 50 feet if abutting residential zone.
   Area B – Per zoning ordinance section 603.

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Area C – Buildings shall be setback at least 25 feet from the rear lot line.

SECTION 2406. LANDSCAPING AND OVERALL SITE DESIGN

Design elements shall comply with the applicable regulations in the Ordinance, with the following additional requirements.

1. Front yard greenbelt.

   Area A – A minimum 25 foot greenbelt is required. Plantings shall include a minimum of two (2) shade trees and three (3) ornamental trees for every one hundred (100) linear feet of lot frontage. The number of plants required shall be proportional to the frontage, with fractions rounded up. Plant materials may be clustered. Additional landscaping is encouraged. A mixture of ornamental and shade trees is encouraged. The planning commission may allow a reduction in the number or a variation in the mixture of the tree types. Identification signs may be placed in this greenbelt area.
   Area B - As required in Section 1709 with the addition of a five (5) foot wide greenbelt consisting of evergreen and ornamental shrubs with a mature height of four (4) feet when the parking lot abuts a public right-of-way.
   Area C - A minimum twenty-five (25) foot greenbelt is required. Plantings shall include a minimum of two (2) shade trees and three (3) ornamental trees for every one hundred (100) linear feet of lot frontage. The number of plants shall be proportional to the length of frontage, with fractions rounded up. Plant materials may be clustered. Additional landscaping is encouraged. The planning commission may allow a reduction in the number or a variation in the mixture of the tree types. Identification signs may be placed in this greenbelt area.

2. Side yard greenbelt

   General

   a) A minimum of forty (40) percent of the required trees shall be deciduous canopy trees, except columnar trees or other vegetation if recommended by the City arborist, may be used in areas with existing overhead utilities;
   b) The minimum width of the side greenbelt is 10 feet, and
   c) At least fifty (50) percent of the required trees shall be of an evergreen variety.

   Area A – As required in Section1709-1. Landscaping shall be provided along walls to reduce the visual impact of building mass as viewed from the street or along the property line subject to Section 1709.2a.
   Area B – As provided in Section 1709-1.
   Area C - As required in Section1709-1. Landscaping shall be provided along walls to reduce the visual impact of building mass as viewed from the street or along the property line subject to Section 1709.2a.

3. Rear yard greenbelt

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General

a) A minimum of forty (40) percent of the required trees shall be deciduous canopy trees, except columnar trees or other vegetation if recommended by the City arborist, may be used in areas with existing overhead utilities;
b) The minimum width of the rear yard greenbelt shall be 10 feet;
c) At least fifty (50) percent of the required trees shall be of an evergreen variety; and
d) At least seventy five (75) percent of all shrubs shall be evergreen or a dense variety of deciduous bush that provides year-round screening.

Area A – As required in Section1709-1.
Area B – When abutting residences in this area, both fence and landscaping will be required unless waived by the planning commission based on depth and opacity of existing vegetation.
Area C - When abutting residences in this Area, both fence and landscaping will be required unless waived by the planning commission based on level and opacity of existing vegetation.

<u>General Standards</u>

1. The overall design, particularly along the corridor frontage, shall promote the impression of a well-tended landscape.

2. Where practical, existing trees that are in good health and above three inches in caliper along the frontage shall be preserved.

3. Retention, detention and the overall stormwater system shall be designed to use “best management practices” and create the appearance of a natural pond or feature including gentle (5:1) or varying side slopes, irregular shapes, water tolerant grasses and seed mixes at the bottom of the pond/basin; appropriate flowers, shrubs and grasses along the banks based on environment (wet, dry, sedimentation basin v. pond) to improve views, filter runoff and enhance wildlife habitat. This requirement may be waived by the planning commission at the recommendation of the city engineer.

4. For all parking areas that accommodate ten (10) cars or more, the following shall apply:

   a. Plant material shall be calculated per section 1709.3. Additionally, each landscape feature shall be planted with a minimum of one (1) canopy tree and ground cover and/or grass and will be protected by raised concrete or asphalt curbing.

   b. Landscape islands shall be calculated on the basis of one (1) landscape island for every ten (10) parking spaces. Landscape islands may be aggregated.

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c. Landscape islands shall be a minimum of one hundred sixty (160) square feet and a minimum of nine (9) feet wide. Each island should be planted at least three (3) feet from the edge of the island.

d. Landscaped islands shall be curbed.

e. Landscape features including end islands, peninsulas, and strips shall be installed in the interior of parking lots to delineate on-site circulation, ensure adequate sight distance at the intersection of aisles and interior roadways, and to prevent diagonal vehicular movement through parking lots. Features shall be designed with sufficient radii to ensure drivers are able to make 90 degree right turns without encroaching upon landscaping or adjacent traffic lanes.

f. The planning commission may reduce the number of required landscape islands if it finds that adequate relief and shade is provided by other plantings in and around the parking area.

5. At least 40% of the required parking lot landscaping shall be within the interior of the parking lot, not on the edges. Islands shall be located to improve traffic flow and views. Details on islands shall be provided including radii, length two feet shorter than parking space depth, trees, ground cover and any lighting or irrigation in accordance with zoning ordinance section 1709-3a.

6. To improve views and reduce impacts on the environment, the amount of parking constructed shall be less than what is typically required for commercial uses. Parking shall be provided at a rate of one space per 200 square feet of useable floor area, unless a parking study demonstrates the need for additional parking to the satisfaction of the planning commission.

7. Loading and service bay doors shall not face a public street. Such doors shall be in the rear of the site. Where this is not practical, location on the side may be permitted provided additional walls and landscaping are provided, and/or such areas are recessed, to minimize the negative visual impact.

8. Any proposed fence must be shown on the site plan, including details on materials and color. Fences shall be durable and decorative in nature.

9. Chain link fences shall only be approved for a location not generally visible to the public or neighboring dwelling units. Chain link fencing is not acceptable for screening purposes. Any visible segments of fence will be vinyl coated with additional landscaping provided to screen the view.

10. Non-motorized Trails and Sidewalks. Where the site abuts an existing trail or sidewalk, or is along a segment where a trail or sidewalk within the public right-of-way is planned by the City, ~~a~~ said trail or sidewalk shall be provided along the frontage within the public right-of-way. The planning commission may also require internal safety paths during the site plan review process.

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11. Interior Sidewalks. Interior sidewalks shall be constructed to access buildings in the most efficient location for barrier free access.

SECTION 2407. COMMERCIAL, OFFICE AND INSTITUTIONAL EXTERIORS

1. The applicant and the applicant's design professionals are encouraged to submit or present design concepts and alternatives at a study session with the planning commission to receive comments on compliance with the guidelines prior to preparation of detailed design drawings. This can include sketches, photographs or other graphic materials.

2. Commercial, office, and institutional facades shall be reviewed by the planning commission as a part of site plan review under the following criteria:

    a. Front building facades shall provide a minimum 30% glass windows in Areas A and C and a minimum of 60% glass windows in Area B on the first floor between two (2) and eight (8) feet above the sidewalk but shall not exceed 80% glass overall. Calculations are exclusive of the roof area.
    b. Florescent colors will not be permitted in any capacity on the site.
    c. Subtle colors shall be used for roofing material. Metal roofs shall only be permitted if compatible with the overall character of the building.
    d. Buildings, ground signs and freestanding signs shall be of the same design character and material as the primary structure. The signs shall provide design features, details, or ornaments similar to the primary building.
    e. Building walls over 30 feet in length shall be broken up with items such as varying rooflines, varying building lines, recesses, projections, wall insets, windows, design accents and/or bands of complementary building materials.
    f. Building entrances shall utilize windows, canopies, and/or awnings; provide unity of scale, texture, and color; and provide a sense of place. Outward swinging doors shall not intrude into the ROW and shall be recessed when necessary.
    g. Rooftop equipment shall be illustrated on the plans, and shall be screened from view by parapet walls or other design elements that complement the overall building design.
    h. Building rear and side facades shall be constructed to a finished quality comparable to the front facade where visible to a public street or residential district or use.
    i. Any interior play place associated with a restaurant or lodging facility shall be designed in accordance with the above standards.
    j. Overhead canopies for gas stations or other uses shall be designed to be compatible with the design characteristics of the principal building such as peaked roofs, shingles, support structures that match or simulate materials of the principal building, lighting fixtures shall be full cutoff and fully recessed into the canopy and in neutral colors.
    k. Neon lights, excluding signage, is prohibited

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SECTION 2408. SIGNS

Area A – As permitted in Section 2008-3 except:

1. Monument signs may not exceed six (6) feet in height and 48 square feet in area.

2. If a monument sign is provided, the size of the sign may be increased 10% above that otherwise permitted if the sign base materials match the building, and foundation plantings are provided around the sign base.

3. Pole signs may not exceed 20 feet in height.

4. Pole sign area shall be calculated as one (1) square foot for each foot of front setback plus one (1) square foot for each linear foot of lot frontage. Sign area shall not exceed 60 square feet.

Area B - As permitted in Section 2008-2.
Area C - As required in Section 2008-3 except as provided herein:

5. Monument signs may not exceed six (6) feet in height and 48 square feet in area.

6. If a monument sign is provided, the size of the sign may be increased 10% above that otherwise permitted if the sign base materials match the building, and foundation plantings are provided around the sign base.

7. Pole signs are not permitted.

SECTION 2410. APPEALS

Appeals to this Article shall be in accordance with the requirements of Sections 1410 and 1505.

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Planning Commission **Staff Report**

Agenda Item #9
Sign Ordinance Amendment Discussion

City of South Haven

Background Information:

At their February meeting, the zoning board of appeals (ZBA) voted to send an amendment request to the planning commission regarding the sign ordinance. Over the years, the ZBA has heard many requests (and granted many variances) to allow identification signs for nonprofit or governmental land uses in the residential zones. Permitted signs in the residential zones are limited to subdivision or multi-family development entry signs and small wall signs for bed and breakfast establishments and home occupations. Freestanding identification signs are not permitted.

Many city cultural and governmental land uses are in the residential zones. These uses include parks, beaches, schools, churches and similar uses such as the historical society. The ZBA is interested in exploring the possibility of having the approval of such signs made administratively. That means that the zoning administrator would have the authority to approve such signs instead of the ZBA. In order to do this, the ordinance would need to include standards for the zoning administrator to use in granting (or denying) sign approval.

Recommendation:

Consider directing staff to draft an amendment to allow signs in residential zones for cultural/nonprofit uses with administrative approval. The draft language will be presented to the planning commission at a later meeting.

Support Material:

None

Respectfully submitted,
Linda Anderson
Zoning Administrator

Planning Commission **Staff Report**

Agenda Item #10
Recognition for Dick Brunvand

City of South Haven

Background Information:

As you are likely aware, Dick Brunvand resigned from the planning commission effective February 7, 2013. It was requested at the last meeting that staff prepare a proclamation recognizing his service to the city.

Recommendation:

Please review the attached proclamation. If it is satisfactory, staff will prepare a final document for the chair's signature and framing.

Support Material:

Proclamation for Dick Brunvand

Respectfully submitted,
Linda Anderson
Zoning Administrator

Proclamation

WHEREAS, Richard "Dick" Brunvand is a member of the greater South Haven community and a valued promoter of the City of South Haven, and

WHEREAS, Dick Brunvand has chosen the City of South Haven as his retirement home, and brings knowledge from his working years to play in the various ways he supports the City as a volunteer; and

WHEREAS, Dick Brunvand is aware of South Haven's rich nautical history and recognizes the value of the preservation of the city's history for residents and visitors to enjoy; and

WHEREAS, Dick Brunvand is an active volunteer for many of the non-profit entities in South Haven and Southwest Michigan, such as the Michigan Maritime Museum, the Historical Association of South Haven and the Southwest Michigan Land Conservancy; and

WHEREAS, Dick Brunvand also supports the efforts of the Bangor/South Haven Heritage Water Trail, has been a member of and chaired the South Haven Harbor Commission and served on a committee charged with the rewriting of the City of South Haven Master Plan; and

WHEREAS, Dick Brunvand recognizes the importance of planning to an evolving community which serves full-time residents, seasonal visitors and tourists of all ages and abilities; and

NOW, THEREFORE, BE IT RESOLVED, that the South Haven Planning Commission wishes to recognize Mr. Dick Brunvand for his dedication and efforts to serve as a member and chairman of the Planning Commission since 2006.

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David Paull, Planning Commission Chair,
On Behalf of the Planning Commission
City of South Haven, Michigan

Signed this 11th day of April, 2013