

AGENDA

The City of Buchanan Planning Commission, in compliance with Michigan's Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.

** Comments may also be submitted in writing at least 4 hours in advance to the Community Development Director Richard Murphy at rmurphy@cityofbuchanan.com*

** Buchanan City will provide necessary and reasonable auxiliary aide and services to those individuals with disabilities who wish to attend the public meeting upon receiving at least one (1) week's prior notice. Any such individual requiring such aids or services should contact the city in writing or by telephoning: Buchanan City Clerk; 302 North Redbud Trail, Buchanan, MI 49107, 269-695-3844.*

I. PUBLIC HEARING**A. Call to Order****B. Roll Call****C. Opening of Hearing and Statement of Purpose of the Hearing**

The purpose of the Public Hearing is for the Plan Commission to consider a Special Use Application from Lindsey Summers to operate a home occupation at her residence at 207 W. Front St., Buchanan MI 49107.

D. Announcement of the Rules of the Hearing

1. This is a public hearing designed to receive comments on the review of an application submitted by Lindsey Summers to operate a home occupation at her residence at 207 W. Front St., Buchanan MI 49107. Only comments regarding this subject will be accepted.

2. All persons wishing to comment shall be given the opportunity to do so.

3. The person addressing the Commission shall stand, state his/her name, and direct their comments directly to the Commission.

4. In the event a large number of people wish to comment, the Chairperson may announce that each person speaking shall limit his/her comments to three (3) minutes.

5. Each person shall have an opportunity to speak before anyone is allowed to speak a second time.

6. The Chairperson may, at his/her discretion, terminate comments which are unreasonably lengthy or unrelated to the subject of the public hearing.

7. When the Chairperson observes that there are no further public comments, he/she shall close that portion of the hearing.

E. Presentation by the Applicant**F. Presentation by the Opposition****G. Applicant's Rebuttal**

- H. Closing of Hearing
- II. **Regular Meeting - Call to Order**
- III. **Pledge of Allegiance**
- IV. **Roll Call**
- V. **Approve Agenda**
- VI. **Public Comments - Agenda Items**
- VII. **Approve Minutes**
 - [A.](#) *1) Consider approving the special workshop's amended minutes from November 29, 2022.*
 - 2) Consider approving the regular meeting minutes from December 13, 2022.*
- VIII. **Old Business**
 - [A.](#) Zoning Ordinance Project Update and Discussion
- IX. **New Business**
 - [A.](#) *Special Use for Home Occupation at 207 W. Front St by Lindsey Summers.*
- X. **Public Comment - Non-Agenda Items Only**
- XI. **Community Development Director Comments**
- XII. **Commissioner Comments**
- XIII. **Adjournment**



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**NOTICE OF PUBLIC HEARING
CITY OF BUCHANAN
Plan Commission**

A Public Hearing has been set for March 14, 2023, at 7:00 p.m. at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan 49107. The purpose of the Public Hearing is for the Plan Commission to consider a Special Use Application from Lindsey Summers to operate a home occupation of a one chair hair salon at her residence at 207 W. Front St., Buchanan MI 49107. At the above time and place, all interested parties will be given an opportunity to be heard before the Plan Commission issues its determination regarding the application. Parties seeking visual or audio accommodation may contact Clerk Kalla Langston at (269) 695-3844, preferably with as much advance notice as possible, so that suitable arrangements can be made to help make needed accommodations.

Written comments may also be submitted in advance of the meeting to Community Development Director Richard Murphy either by delivery to Buchanan City Hall, or via email to rmurphy@cityofbuchanan.com.

Richard Murphy
Community Development Director

Kalla Langston
City Clerk



CITY OF BUCHANAN PLANNING COMMISSION SPECIAL WORK SHOP MEETING

TUESDAY, NOVEMBER 29, 2022 – 6:30 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES- AMENDED

- I. *The City of Buchanan Planning Commission, in compliance with Michigan's Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.*
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III. Regular Meeting - Call to Order

Meeting was called to order by Co-Chair Kevin Barker at 6:35 P.M.

IV. Pledge of Allegiance

Barker led in the Pledge of Allegiance.

V. Roll Call

Present: Kevin Barker, Ralph McDonald, Richard Martin, and Sean Denison

Absent: Jason Lietz

Others present: Alan Robandt, Dan Vigansky, Rich Murphy, Kalla Langston

VI. Public Comments - Agenda Items

None

VII. New Business

A. *Buchanan Zoning Ordinance Project WorkShop*

The members of the planning commission along with the others present went through the first draft of the Zoning Ordinance Project to gather information to give back to the Placemaker team for review before the Special Joint Meeting of the City Commission, Planning Commission, and BARB on December 6th at 5:00 P.M. (See attachment A)

VIII. Adjournment

Motion to adjourn made by Denison, supported by Martin at 8:46 P.M. Voice vote carries unanimously.

Attachment A

Buchanan Form-Based UDC

Community Comment Matrix and Responses

Color Key

- Addressed through the UDC Follow up needed to determine response
- Not addressed through this process or general comment

Topic	Comment	Response	Code Section	Commenter	Date
PUD	Comments to Draft One accepted through December 31, 2022 What is the primary difference in a PUD and a Neighborhood Plan? What is the impact of eliminating an existing PUD? Ex- Alan requested in an email we remove the Green's PUD. What are the risks/impact of a decision like that?	The NP is a pre-negotiated PUD. It establishes predictability in alignment with the Vision Plan without losing flexibility. It would be ideal to replace the PUD for simplification if landowners support the change. PUDs require a great deal of administrative management and are not ideal for the city nor the landowner. No edits at this time.	Sec. 71-16	Commissioner Swern	11/28/2022
Organization	Why are definitions not right up front?	This is a current best practice in zoning organization. The usable information should come first with supporting information like process and definitions last. Relocated to Article II.	Article V, now II	Commissioner Barker	11/28/2022
Use	How are we handling adult entertainment?	It is permitted by special use in the industrial zone only. It is required by the State of Michigan to permit it somewhere.	Table 71-J	Commissioner Vigansky	11/28/2022
Signs	Add graphics to illustrate signs.	Edited	Sec. 71-30	Mayor Denison	11/28/2022
Landscape	They overdid landscaping but were light on setback.	Setbacks were determined based on review of exiting parcels to avoid legal non-conforming status. Landscaping has been simplified.	Sec. 71-28	Commissioner Barker	11/28/2022
General Content	How will we handle fences and signs in zoning ordinance?	The document became a UDC. Renamed appropriately		Director Murphy	11/28/2022
Bulk standards	Can downtown setbacks be minimum and maximum zero?	Adjusted to 0' min., and 2' max. with Front St. exceptions	Table 71-F	Alan Robandt	11/28/2022
Use/PUD	Why are we eliminating PUD? How are we handling mixed use?	PUDs are unpredictable, negotiated individually. don't necessarily reflect the City's vision since an applicant can propose anything. Amendments are also a burden on the applicant and staff. The NP is a pre-negotiated PUD, allowing for the applicant to choose the appropriate intensities, but assuring the base standards support the Vision Plan. No edits at this time.	Sec. 71-16	Commissioner Barker	11/28/2022
Streets	Why Table 71 A and where does it apply?	Mixed use is permitted within buildings and lots according to Table 71-J. Any use permitted in the table for the zone is permitted for the application. However, a mixture of uses is not required since zoning can't predict the market demand.	Table 71-A	Commissioner Barker	11/28/2022
Subdivisions	What happened to subdivisions?	This is used in new development that requires new access. It will likely be used in the larger empty parcels to the NW of downtown. Subdivisions are now consolidated into Article III (Definitions have become Article II)	Article III	Commissioner Barker	11/28/2022

Zoning map	Zoning map should include parks and schools?	Fig. 71-A	Commissioner McDonald	11/28/2022
Use	Why can't we eliminate strip clubs or mobile homes?	Sec. 71-16 D, Table 71-J	Commissioner McDonald	11/28/2022
Bulk standards	Building height definition will not allow mezzanine. Is a split level house 2 or 3 stories.	Sec. 71-17 B.	Commissioner Barker	11/28/2022
Bulk standards	Should downtown be exempt from corner requirements/clear site plans?	Sec. 71-18 G.	Commissioner Barker	11/28/2022
Bulk standards	There were questions on residential setbacks and they are too close and if all meet state fire code.	Table 71-C	Commissioner Barker	11/28/2022
Bulk standards	Why are there setbacks at all on Neighborhood center standards? 1-16 setbacks. Will that cause a jagged tooth effect?	Table 71-D	Commissioner Barker	11/28/2022
Parking location	Why is parking setback +20ft. min?	Table 71-E	Alan Robandt	11/28/2022
Zoning districts	What is objective of Neighborhood Center?	Tables 71-D - F	Commissioner McDonald	11/28/2022
Zoning districts	Can we encourage residential mixed use in major corridors?	Table 71-E, 71-J	Commissioner McDonald	11/28/2022
Use	If you can't prohibit strip clubs then how can you prohibit mirrored windows?		Commissioner McDonald	11/28/2022
Signs	We want to encourage blade signs.		Mayor Denison	11/28/2022
			Director Murphy	11/28/2022

Parks and schools are permitted in the various zoning districts. They are rarely zoned as a specific use. The current map has a park hatch, but no schools. This can be added if desired. No edits until confirmation. Those uses are protected by state legislation. They must be permitted somewhere within the city. However, we have restricted mobile homes to mobile home parks and they have to be developed according to a NP. This is highly unlikely because of the shape of the structures.

Added B.1.d for clarity as well as mezzanine definition.

Controlled intersections were currently exempt, but added clarity for downtown.

Edited Table 71-C and 71-D side yard minimums

Neighborhood Center is assigned to Red Bud Trail and many of the properties there are residential. This range permits them to continue to be used while minimizing the non-conforming status.

This is a safety and pedestrian activity issue that reflects the historic parking locations of Buchanan. Parking that is located to close to the sidewalk frequently overhangs the sidewalk and blocks the pedestrian path of travel. It also reduces visibility for conflict with walkers and cyclists. 20' is the depth of a parked vehicle. Its most important in higher density areas so it isn't included in Table 71-C, 71-G, and 71-H.

Table 71-E blends the various uses that are occurring along Red Bud Trail that are already compatible. Its a combination of neighborhood commercial and multifamily zones. These are appropriate along corridors, but function better economically as a combined mixed-use zone rather than separate districts.

This is exactly the intent of NC. It equally permits commercial, residential, and residential mixed use without variance or change of zoning district. Two options exist for E Front Street if there is a desire to include residential there. 1. it's already permitted through the neighborhood plan if the parcel is at least 3 acres. 2. Residential could be permitted by special use or by right in Table 71-J if there is a desire to do that.

Uses are more closely protected at the state and federal level, largely because of their lobbies. Because downtown is a historic area, there is more availability to zone for building design that isn't compatible than there is in areas that are largely single family residential.

Blade signs are permitted by projecting signs.

Awnings	Why are awnings minimum of 6 ft?	This is a best practice in downtown areas to reduce glare on the storefront windows. It assists in assuring pedestrians see the goods in the windows. It also has a functional purpose of providing shade and rain cover for pedestrians. Historically awnings served these functional purposes rather than just being decorative. Definitely, Added Sec. 71-20 A.2. to reflect this.	Sec. 71-30 F. 3.e.	Commissioner McDonald	11/28/2022
Use	Can we limit square footage of marihuana and marihuana related uses including marihuana accessories, headshops?	Edited Table 71-J to change home occupation to special use plus edited 71-25 to exclude work from home from permitting.	Sec. 71-20 A. 2.	Commissioner McDonald	11/28/2022
Use	What enforcement capabilities if a home occupation gets too intense?	Edited Table 71-J to change home occupation to special use plus edited 71-25 to exclude work from home from permitting.	Table 71-J	Commissioner McDonald, Don Ryman, Northside neighbors	11/28/2022
Use	What enforcement capabilities if an accessory dwelling gets too intense? Or someone sells?	Edited Sec. 71-25 to be a special use permit rather than by right.	Sec. 71-25 A.	Commissioner McDonald, Northside neighbors	11/28/2022
Access	Regarding alley references in zoning code, overall there are very few alleys in Buchanan	For access management purposed, if they exist the should be used to remove conflict points from streets. Removed from Tables 71-C, G, and H since none exist there. Edited	Table 71-C, G, H	Commissioner McDonald	11/28/2022
Purpose	Edit F. "to encourage destination heritage tourism.	Discussed on 12/6 and determined edit unnecessary	Sec. 71-3 F.	Alan Robandt	11/28/2022
Zoning districts	Edit F.3. and 5. to clarify	Determined unnecessary	Sec. 71-4 A.3.	Alan Robandt	12/6/2022
Zoning districts	Suggested edit of B. for grammar	71-12(A) 6 Table 71-A	Sec. 71-4 B.	Dan	11/28/2022
Streets	Why is there a distinction between NP-M and NP-H in Table 71.A.	The parking densities, ped/bike uses and traffic volumes increase between medium and high densities in Neighborhood Plans. Therefore, the geometrics change to address the difference. For example, traffic volumes are lower in medium density, and operating speeds are somewhat faster, so the narrower lanes help reduce those speeds. This only applies in larger developments that require new streets. It could also be used for streetscape improvements like the current Front St. project.	Table 71-A		11/28/2022
Subdivisions	Page 5. Why is subdivision required.	This only applies to large scale new development. Yes this is lot size standard for new subdivisions. It is also the lot area for each district that was historically found within the zoning district. Its was deleted from C. and moved to A. in each of the zoning tables. Lot size will now only apply to neighborhood plans.	Sec. 71-12 C.		11/28/2022
Subdivisions	Page 5. Is C.1. a-h applicable to lots	Discussed the park perimeter mature landscaping canopy option and determined it should be 30%. Edited.	Sec. 71-12 C.		11/28/2022
Parks	Why is 20% mature canopy required?	Added definitions and type in the use table.	Sec. 71-14 B. 5.	Alan Robandt	12/6/2022
Solar	Add solar standards to assure MEDC requirements for RRC.		Art. II, Table 71-J	Commissioner Swern	12/6/2022
Density	Concerned about protecting the historic character of single family on W. Front Street.	Changed zoning map from GN to NE for the lots facing Front St. between Downtown and Terre Coupe St.	Fig. 71-A	Don Ryman	12/6/2022

Definitions	Added modular housing definition.	Article II	Commissioner McDonald, Commissioner Money Alan Robandt	12/6/2022
Facades	Clarify the difference between mobile home/manufactured housing and modular housing.	Sec. 71-18 B. 2.	Alan Robandt	12/6/2022
Facades	West side of Red Bud Trail south of 3rd should require shopfronts	Table 71-I	Alan Robandt	12/6/2022
Facades	Add additional detail for shopfront	Table 71-D.2.	Alan Robandt	12/6/2022
Use	Add transoms to glass calculation	Table 71-I	Commissioner Barker	11/28/2022
Use	Why do common entries require evergreen foliage in planters? Remove X's in Table 71-J. Prohibited should just be blank	Table 71-J		12/6/2022
Use	Should we limit institutional uses?	Table 71-J		11/28/2022
Use	Are we calling out parking on cannabis? Table 71-K	Table 71-K		11/28/2022
Cannabis	Remove colocation of dispensary and grower center	Sec. 71-21 A. 2.	Alan Robandt	12/6/2022
Cannabis	If available, city water should be used.	Sec. 71-21 B. 4.		11/28/2022
Parking	Add dimensional requirements rather than just the AASHTO reference	Sec. 71-27 E. 1.	Commissioner Barker	12/6/2022
Parking	Remove non-residential quotas	Table 71-L	Downtown focus group	12/6/2022
Access	Require 24' driveway width for two-way access	Sec. 71-27 E. 6.	Commissioner Barker	11/28/2022
Landscape	Why is this so specific? Suggest outsourcing to tree friend.	Sec. 71-28	Commissioner Barker	11/28/2022
Landscape	Provide tree preservation.	Sec. 71-28 D.	Downtown focus group	12/6/2022
Fencing Signs	Fencing in zoning code?	Sec. 71-29		11/28/2022
Fencing Signs	Signs in zoning code?	Sec. 71-30		11/28/2022
Fencing Signs	Can we prohibit reader boards? Electronic message centers.	Table 71-M		11/28/2022
Signs	What does Sec. 71-30 F.5. mean?	Sec. 71-30 F. 5		11/28/2022
Process	Edits provided for Sec. 71-33 G. 6. c. and e.	Sec. 71-33 G. 6. c. and e.		11/28/2022
Definitions	Is attic a livable space	Definitions		11/28/2022
Definitions	Commercial definition: define by what you can't have.	Definitions		11/28/2022
Definitions	Religious assembly added to civic definition	Definitions		11/28/2022
Enforcement	Concerned about the lack in existing code enforcement and the ability to enforce this new code.	Definitions		12/6/2022
Height	Provide a definition for a half story	Definitions		12/6/2022

Signs	<p>It is best for sign regulations to remain in the City Code rather than moved into the ZO. St. Joseph handles signs that in their code so Buchanan is not an outlier. I think it is much easier to handle enforcement through the city code enforcement process and getting a stand alone sign permit rather than using ZO processes. It is very important for PUD to remain in the ZO. PUD streamlined development and allows for maximum design flexibility for lot sizes, uses, parking, setbacks, etc. while allowing for mixed uses when desired. The PUD process allows for significant collaboration with the developer and tailoring the design features for the site.</p>	<p>Waiting for final comments from Director Murphy. This process would still rely on the sign permit as proposed.</p>	Commissioner Lietz	12/6/2022
PUD		<p>The Neighborhood Plan is a de facto PUD, but some standards are pre-negotiated to assure the result will fit within the City's vision. It still allows for a great deal of flexibility and creativity, mixed-use, and greater densities.</p>	Commissioner Lietz	12/6/2022
General Content	<p>It doesn't seem like enough core principles of the existing ZO that have worked well have been carried forward into the new ZO draft. The majority of the city is a built environment with an ingrained character. The zoning requirements should respect that fact and be tailored to allow existing buildings, uses, accessory buildings, lot sizes, setbacks, etc to continue forward in time so that folks wanting to do additions, add garages, etc. that are in character with the surrounding properties to do so without needing variances, special uses and other zoning processes. We should be careful to not superimpose a vision for new zoning that, while appropriate to greenfield type growth, does not fit the established & historical pattern of the city. Let's keep what has worked in the old ZO, make the improvements we know of and harmonize in key elements from the master plan.</p>	<p>Diligence was taken to survey existing buildings, lots, and setbacks to craft the new setbacks to meet those standards. The current ordinance has a standard 25' front yard for most conditions except downtown. The creates many legal non-conforming lots in the historic parts of the city. The new lot sizes and setbacks were drafted to reflect the historic built environment of the city. Some additional flexibility has been added to reflect the critiques from the 12/6 joint commissions meeting.</p>	Commissioner Lietz	12/6/2022
Code enforcement	<p>Concerns over the lack of current code enforcement and the perception of a lack of uniform enforcement. If the current code isn't being enforced, what is the chance a new code will improve the situation?</p>	<p>Enforcement cannot be guaranteed by the ordinance, but is rather an administrative issue. The goal is to make sure the new code will reflect what the residents want to be enforced.</p>	Northside neighborhood group	12/6/2022

Sec. 71-30

Sec. 71-16



CITY OF BUCHANAN PLANNING COMMISSION

TUESDAY, DECEMBER 13, 2022 – 7:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

I. *The City of Buchanan Planning Commission, in compliance with Michigan's Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.*

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III. **Regular Meeting - Call to Order**

Meeting called to order at 7:01pm.

IV. **Pledge of Allegiance**

V. **Roll Call**

Present: Chairman Jason Lietz, Kevin Barker, Ralph McDonald, Sean Denison, and Richard Martin

City Staff: Director of Community Development, Rich Murphy; Administrative Assistant, Emma Lysy

VI. **Approve Agenda**

Barker suggested adding a recurring item under old business to discuss and update progress on the new zoning ordinance project.

Motion made by Barker, supported by McDonald to add an update and discussion of the new zoning ordinance project under item B, Old Business. Voice vote carries unanimously.

VII. **Public Comments - Agenda Items**

Don Ryman – We are getting an off the self, completely new zoning code which is not what Buchanan needs. We only need updates and amendments to the existing code. A new zoning code be an unnecessary burden on those who will need to use it. The elimination of the single family residential district and PUD is not proper. (See attached A)

VIII. **Approve Minutes**

A. 1) *Consider approving Minutes from the Regular Planning Commission Meeting on November 15th, 2022.*

2) *Consider approving Minutes from the Special Workshop Planning Commission Meeting on November 29, 2022.*

Barker noted workshop minutes seemed sparse. Murphy can supply supporting materials from Placemakers if needed. Denison noted that it would be hard to distill a one and a half hour discussion, but the notes from Placemakers would be helpful. Planning Commission decided to table approval.

Motion made by Denison, supported by McDonald to approve minutes with correction of Murphy's last name under Item 12. Voice vote carries unanimously.

Motion made by McDonald, supported by Barker to table action on 11/29 Workshop minutes pending revision. Voice vote carries unanimously.

IX. Old Business

A. 128 Main St.- Honor Credit Union

The Honor team and architect presented the 128 Main St site plan. The Planning Commission asked for more detail on how the flow of traffic would work. Currently, the four lanes are divided into exiting either into the parking lot or the access road to the south. There had been concern that people exiting onto the exit road would meet people pulling out from parking spaces along the access road. As this is how the exit is already functioning, the team does not have plans to change it. There was further discussion of the traffic flow and plans for the curb area and lanes. Dashed lines and additional signage were agreed upon as good measures to help traffic flow.

McDonald noted that greenspace would be a good option for space made available by the elimination of parking spots.

Motion made by Barker, supported by Martin to adopt the site plan for 128 Main St with the addition of dashed lines and signage at lane exits. Roll call vote carries unanimously.

B. Zoning Ordinance Update and Discussion

Barker requested to move item B of Old Business to after New Business to accommodate those from out of town.

Murphy reported on the workshop with Placemakers, city boards, and the public. Extensive notes were taken to record all discussion and feedback. They've incorporated that feedback into a matrix that will inform their next draft. They propose a meeting in January that incorporates those proposals.

There was discussion regarding the nature approach to the new zoning ordinance. Barker felt that it was not made specifically for Buchanan, Denison supported that Placemakers had come to Buchanan and tailor made their proposed draft for Buchanan. There was discussion over whether the proposed changes increased flexibility or represented greater constrictions, as well as what's covered in the city ordinance.

The commission felt it would be helpful to see progress on the new ordinance in smaller sections, rather than an entire new draft at a time. Murphy was asked if there was a timeline for approving the new zoning ordinance. He confirmed that there wasn't, not until it was done right. The zoning ordinance is the blueprint for accomplishing what's outlined in the masterplan.

X. New Business

A. Approve recommendation from Design Review Committee for Honor Credit Union Facade, 128 Main Street

The Honor team and architect summarized their presentation for the Design Review Committee. They've amended their design to keep the pea gravel panels and have lowered the canopy below the roofline.

Motion made by Barker, supported by Martin to approve the 128 Main St Façade plan as recommended by the Design Review Committee. Roll call vote carries unanimously.

C. Consider the application submitted by Anthony "Tony" Houser to the Planning Commission.

Houser introduced himself to the Planning Commission. Lietz noted that they like representing different stakeholders in the city and that Houser would represent a good addition to the commission.

Motion made by Martin, supported by Denison to recommend support of the application of Anthony Houser to the City Commission. Voice vote carries unanimously.

XI. Subcommittee Reports (if any)

Martin was not present at the last Friends of the Trail meeting.

McDonald reported on upcoming plantings done by the Tree Friends. There was discussion of training DPW workers in proper pruning procedure for trees they maintain.

XII. Public Comment - Non-Agenda Items Only

None.

XIII. Community Development Director Comments

Murphy just represented the City at the Urban Guild Awards via Zoom, accepting the award for best student work with Andrews University for A Vision for Buchanan.

The DNR Michigan Natural Resources Trust Fund Grant will soon be awarded. Buchanan has scored 3rd out of over 100 cities, so this will likely be the grant that secures the remaining funding needed for the trail expansion project.

XIV. Commissioner Comments

None.

XV. Adjournment

The meeting was adjourned at 9:04pm.

Chairman, Jason Lietz

Admin Assistant, Emma Lysy

Relating to the New Business Main Street Winter 2022 Progress Report - application submitted by Anthony "Tony" [unclear] to the Planning Commission.

The people who are advising ^{the city} us on zoning are giving ^{us} an off-the-shelf complete new zoning code. That is not what we need. We only need suggested amendments to our present zoning code to reflect improvements in zoning practice since the zoning code was last amended. A complete new zoning code will require an unnecessary investment in time to familiarize themselves with the many page complete new zoning code by the citizens using the code, by the city employees enforcing the code, and the general public. And a whole new off-the-shelf code makes it very difficult to identify the substantive changes from the present code.

We know that an elimination of the single family residential district is proposed, plus an elimination of the PUD districts, and an elimination of the heavy industrial districts. I think none of these changes is proper. I find it strange that our Industrial Development Director is favoring elimination of some of the zoning classifications that a potential business coming into Buchanan might wish to take advantage of.

What we need is a marked up copy of the present zoning code showing proposed changes, so the Planning Commission and the City Commission and the general public can know what changes are being suggested and voted upon.

Buchanan Form-Based UDC

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Use/PUD	Why are we eliminating PUD? How are we handling mixed use?	PUDs are unpredictable, negotiated individually, don't necessarily reflect the City's vision since an applicant can propose anything, Amendments are also a burden on the applicant and staff. The NP is a pre-negotiated PUD, allowing for the applicant to choose the appropriate intensities, but assuring the base standards support the Vision Plan. No edits at this time. Mixed use is permitted within buildings and lots according to Table 71-J. Any use permitted in the table for the zone is permitted for the application. However, a mixture of uses is not required since zoning can't predict the market demand.	Sec. 71-16	Commissioner Barker	11/28/2022
Streets	Why Table 71 A and where does it apply?	This is used in new development that requires new access. It will likely be used in the larger empty parcels to the NW of downtown.	Table 71-A	Commissioner Barker	11/28/2022
Subdivisions	What happened to subdivisions?	Subdivisions are now consolidated into Article III (Definitions have become Article II)	Article III	Commissioner Barker	11/28/2022

Zoning map	Zoning map should include parks and schools?	Parks and schools are permitted in the various zoning districts. They are rarely zoned as a specific use. The current map has a park hatch, but no schools. This can be added if desired. No edits until confirmation.	Fig. 71-A	Commissioner McDonald	11/28/2022
Use	Why can't we eliminate strip clubs or mobile homes?	Those uses are protected by state legislation. They must be permitted somewhere within the city. However, we have restricted mobile homes to mobile home parks and they have to be developed according to a NP. This is highly unlikely because of the shape of the structures.	Sec. 71-16 D, Table 71-J	Commissioner McDonald	11/28/2022
Bulk standards	Building height definition will not allow mezzanine. Is a split level house 2 or 3 stories.	Added B.1.d for clarity as well as mezzanine definition.	Sec. 71-17 B.	Commissioner Barker	11/28/2022
Bulk standards	Should downtown be exempt from corner requirements/clear site plans?	Controlled intersections were currently exempt, but added clarity for downtown.	Sec. 71-18 G.	Commissioner Barker	11/28/2022
Bulk standards	There were questions on residential setbacks and they are too close and if all meet state fire code.	Edited Table 71-C and 71-D side yard minimums	Table 71-C Table 71-D	Commissioner Barker	11/28/2022
Bulk standards	Why are there setbacks at all on Neighborhood center standards? 1-16 setbacks. Will that cause a jagged tooth effect?	Neighborhood Center is assigned to Red Bud Trail and many of the properties there are residential. This range permits them to continue to be used while minimizing the non-conforming status.	Table 71-E	Alan Robandt	11/28/2022
Parking location	Why is parking setback +20ft min?	This is a safety and pedestrian activity issue that reflects the historic parking locations of Buchanan. Parking that is located to close to the sidewalk frequently overhangs the sidewalk and blocks the pedestrian path of travel. It also reduces visibility for the pedestrian and introduces possible points of conflict with walkers and cyclists. 20' is the depth of a parked vehicle. Its most important in higher density areas so it isn't included in Table 71-C, 71-G, and 71-H.	Tables 71-D - F	Commissioner McDonald	11/28/2022
Zoning districts	What is objective of Neighborhood Center?	Table 71-E blends the various uses that are occurring along Red Bud Trail that are already compatible. Its a combination of neighborhood commercial and multifamily zones. These are appropriate along corridors, but function better economically as a combined mixed-use zone rather than separate districts.	Table 71-E, 71-J	Commissioner McDonald	11/28/2022
Zoning districts	Can we encourage residential mixed use in major corridors?	This is exactly the intent of NC. It equally permits commercial, residential, and residential mixed use without variance or change of zoning district. Two options exist for E Front Street if there is a desire to include residential there. 1. it's already permitted through the neighborhood plan if the parcel is at least 3 acres. 2. Residential could be permitted by special use or by right in Table 71-J if there is a desire to do that.		Commissioner McDonald	11/28/2022
Use	If you can't prohibit strip clubs then how can you prohibit mirrored windows?	Uses are more closely protected at the state and federal level, largely because of their lobbyists. Because downtown is a historic area, there is more availability to zone for building design that isn't compatible than there is in areas that are largely single family residential.		Mayor Denison	11/28/2022
Signs	We want to encourage blade signs.	Blade signs are permitted by projecting signs.		Director Murphy	11/28/2022

Awnings	Why are awnings minimum of 6 ft?	This is a best practice in downtown areas to reduce glare on the storefront windows. It assists in assuring pedestrians see the goods in the windows. It also has a functional purpose of providing shade and rain cover for pedestrians. Historically awnings served these functional purposes rather than just being decorative.	Sec. 71-30 F. 3.e.	Commissioner McDonald	11/28/2022
Use	Can we limit square footage of marihuana and marihuana related uses including marihuana accessories, headshops?	Definitely. Added Sec. 71-20 A.2. to reflect this.	Sec. 71-20 A. 2.	Commissioner McDonald	11/28/2022
Use	What enforcement capabilities if a home occupation gets too intense?	Edited Table 71-J to change home occupation to special use plus edited 71-25 to exclude work from home from permitting.	Table 71-J Sec. 71-25	Commissioner McDonald, Don Ryman, Northside neighbors	11/28/2022
Use	What enforcement capabilities if an accessory dwelling gets too intense? Or someone sells?	Edited Sec. 71-25 to be a special use permit rather than by right.	Sec. 71-25 A.	Commissioner McDonald, Northside neighbors	11/28/2022
Access	Regarding alley references in zoning code, overall there are very few alleys in Buchanan	For access management purposed, if they exist the should be used to remove conflict points from streets. Removed from Tables 71-C, G, and H since none exist there.	Table 71-C, G, H	Commissioner McDonald	11/28/2022
Purpose	Edit F. *to encourage desitination heritage tourism.	Edited	Sec. 71-3 F.	Alan Robandt	11/28/2022
Zoning districts	Edit F.3. and 5, to clarify	Discussed on 12/6 and determined edit unnecessary	Sec. 71-4 A.3.	Alan Robandt	12/6/2022
Zoning districts	Suggested edit of B. for grammar	Determined unnecessary	Sec. 71-4 B.	Dan	11/28/2022
Streets	Why is there a distinction between NP-M and NP-H in Table 71.A.	71-12(A) 6 Table 71-A The parking densities, ped/bike uses and traffic volumes increase between medium and high densities in Neighborhood Plans. Therefore, the geometrics change to address the difference. For example, traffic volumes are lower in medium density, and operating speeds are somewhat faster, so the narrower lanes help reduce those speeds. This only applies in larger developments that require new streets. It could also be used for streetscape improvements like the current Front St. project.	Table 71-A		11/28/2022
Subdivisions	Page 5. Why is subdivision required.	This only applies to large scale new development.	Sec. 71-12 C.		11/28/2022
Subdivisions	Page 5. Is C.1. a-h applicable to lots	Yes this is lot size standard for new subdivisions. It is also the lot area for each district that was historically found within the zoning district. Its was deleted from C. and moved to A. in each of the zoning tables. Lot size will now only apply to neighborhood plans.	Sec. 71-12 C.		11/28/2022
Parks	Why is 20% mature canopy required?	Discussed the park perimeter mature landscaping canopy option and determined it should be 30%. Edited.	Sec. 71-14 B. 5.	Alan Robandt	12/6/2022
Solar	Add solar standards to assure MEDC requirements for RRC.	Added definitions and type in the use table.	Art. II, Table 71-J	Commissioner Swem	12/6/2022
Density	Concerned about protecting the historic character of single family on W. Front Street.	Changed zoning map from GN to NE for the lots facing Front St. between Downtown and Terre Coupe St.	Fig. 71-A	Don Ryman	12/6/2022

Definitions	Clarify the difference between mobile home/manufactured housing and modular housing.	Added modular housing definition.	Article II	Commissioner McDonald, Commissioner Money	12/6/2022
Facades	West side of Red Bud Trail south of 3rd should require shopfronts	Edited	Sec. 71-18 B. 2.	Alan Robandt	12/6/2022
Facades	Add additional detail for shopfront	Edited	Table 71-I	Alan Robandt	12/6/2022
Facades	Add transoms to glass calculation	Edited	71-18 D.2.	Alan Robandt	12/6/2022
Facades	Why do common entries require evergreen foliage in planters?	For year round beauty	Table 71-I		11/28/2022
Use	Remove X's in Table 71-J. Prohibited should just be blank	Edited	Table 71-J	Commissioner Barker	12/6/2022
Use	Should we limit institutional uses?	Unclear which uses should be limited. No changes until clarification.	Table 71-J		11/28/2022
Use	Are we calling out parking on cannabis? Table 71-K	This table applies parking restrictions to institutional and commercial uses. Not cannabis.	Table 71-K		11/28/2022
Cannabis	Remove colocation of dispensary and grower center	TBD	Sec. 71-21 A. 2.	Alan Robandt	12/6/2022
Cannabis	If available, city water should be used.	Deleted subsection	Sec. 71-21 B. 4.		11/28/2022
Parking	Add dimensional requirements rather than just the AASHTO reference	Edited	Sec. 71-27 E. 1.	Commissioner Barker	12/6/2022
Parking	Remove non-residential quotas	Deleted all non-residential uses from Table 71-L.	Table 71-L	Downtown focus group	12/6/2022
Access	Require 24' driveway width for two-way access	If 10' is acceptable for a one way alley, why is 20' for 2 way unacceptable? 24' is more applicable for exclusive industrial use to provide maneuvering of semi trucks, 20' is ok for mixed use and residential. Note from Peter Swift, PE consulting on traffic engineering.	Sec. 71-27 E. 6.	Commissioner Barker	11/28/2022
Landscape	Why is this so specific? Suggest outsourcing to tree friend.	It can be deleted if you don't care to regulate it. Its mostly about planing in the correct places to protect structures, pedestrians, and cyclists.	Sec. 71-28	Commissioner Barker	11/28/2022
Landscape	Provide tree preservation.	This is done with D. by allowing existing trees to meet the requirements. If requirements are removed a section on preservation will need to be added.	Sec. 71-28 D.	Downtown focus group	12/6/2022
Fencing	Fencing in zoning code?	It can be deleted if preferred.	Sec. 71-29		11/28/2022
Signs	Signs in zoning code?	It can be deleted if preferred.	Sec. 71-30		11/28/2022
Signs	Can we prohibit reader boards? Electronic message centers.	Reader boards are limited to SC and I because they're commonly used there.	Table 71-M		11/28/2022
Signs	What does Sec. 71-30 F.5. mean?	Lights must be lit from exterior lamps, like the lights over the Bucktown Nutrition, Front, and Edward Jones wall signs.	Sec. 71-30 F. 5		11/28/2022
Process	Edits provided for Sec. 71-33 G. 6. c. and e.	Edited	Sec. 71-33 G. 6. c. and e.		11/28/2022
Definitions	Is attic a livable space	That is at the discretion of the building owner. It may be if desired	Definitions		11/28/2022
Definitions	Commercial definition: define by what you can't have.	Unclear on the goal here. That list could be huge.	Definitions		11/28/2022
Definitions	Religious assembly added to civic definition	Edited	Definitions		11/28/2022
Enforcement	Concerned about the lack in existing code enforcement and the ability to enforce this new code.	This is a very common concern across the country and is an administrative challenge.			12/6/2022
Height	Provide a definition for a half story	Added to the building height definition.	Definitions		12/6/2022

Signs	It is best for sign regulations to remain in the City Code rather than moved into the ZO. St. Joseph handles signs that in their code so Buchanan is not an outlier. I think it is much easy to handle enforcement through the city code enforcement process and getting a stand alone sign permit rather than using ZO processes.	Waiting for final comments from Director Murphy. This process would still rely on the sign permit as proposed.	Sec. 71-30	Commissioner Lietz	12/6/2022
PUD	It is very important for PUD to remain in the ZO. PUD streamlined development and development and allows for maximum design flexibility for lot sizes, uses, parking, setbacks, etc. while allowing for mixed uses when desired. The PUD process allows for significant collaboration with the developer and tailoring the design features for the site.	The Neighborhood Plan is a de facto PUD, but some standards are pre-negotiated to assure the result will fit within the City's vision. It still allows for a great deal of flexibility and creativity, mixed-use, and greated densities.	Sec. 71-16	Commissioner Lietz	12/6/2022
General Content	It doesn't seem like enough core principles of the existing ZO that have worked well have been carried forward into the new ZO draft. The majority of the city is a built environment with an ingrained character. The zoning requirements should respect that fact and be tailored to allow existing buildings, uses, accessory buildings, lot sizes, setbacks, etc to continue forward in time so that folks wanting to do additions, add garages, etc. that are in character with the surrounding properties to do so without needing variances, special uses and other zoning proceeses. We should be careful to not superimpose a vision for new zoning that, while appropriate to greenfield type growth, does not fit the established & historical pattern of the city. Let's keep what has worked in the old ZO, make the improvements we know of and harmonize in key elements from the master plan.	Diligence was taken to survey existing buildings, lots, and setbacks to craft the new setbacks to meet those standards. The current ordinance has a standard 25' front yard for most conditions except downtown. The creates many legal non-conforming lots in the historic parts of the city. The new lot sizes and setbacks were drafted to reflect the historic built environment of the city. Some additional flexibility has been added to reflect the critiques from the 12/6 joint commissions meeting.		Commissioner Lietz	12/6/2022
Code enforcement	Concerns over the lack of current code enforcement and the perception of a lack of uniform enforcement. If the current code isn't being enforced, what is the chance a new code will improve the situation?	Enforcement cannot be guaranteed by the ordinance, but is rather an administrative issue. The goal is to make sure the new code will relect what the residents want to be enforced.		Northside neighborhood group	12/6/2022

City of Buchanan Planning & Zoning
302 North Redbud Trail,
Buchanan, Michigan 49107
Phone (269) 695-3844 x 19 Fax (269)695-4330

General Information Application
For Land Development
(Complete application must be filed with the Zoning Administrator)

1. Applicant and Owner Information

Applicant(s)
Principle Contact:
Name Lindsey Summness
Address 207 W. front St.
City Buchanan
State MI Zip 49107
Telephone 269.591.9766

Property Owner(s)
Principal Contact:
Name Lindsey Summness
Address 207 W. front St
City Buchanan
State MI Zip 49107
Telephone 269.591.9766

Secondary Contact:
Name _____
Address _____
City _____
State _____ Zip _____

Architect (if applicable):
Name _____
Address _____
City _____
State _____ Zip _____

Agent or Attorney:
Name _____
Address _____
City _____
State _____ Zip _____

Engineer (if applicable):
Name _____
Address _____
City _____
State _____ Zip _____

Is this property held in a trust? [] No
Name of trust _____
Address _____ City _____ State _____ Zip _____

[] Yes Note – for all trusts–Provide, as an attachment, a statement from the trustee verifying the names of all owners

3. Site and Surrounding Property Information

a. Common address or property location of subject property:

207 W. Front St., Buxton, ME 49107

b. Legal Description (Attach additional sheet if necessary):

See Attached Beacon Plat out

c. Permanent Real Estate Tax Identification Number: 11-58- 0035- 0162 - 00 - 3

d. Parcel Size: 10,019 square feet

0.23 acres

100' dimension of lot frontage

100' dimension of lot depth

e. What are the current land uses and zoning on the land and adjoining parcels of land surrounding the site?

	Current Zoning	Current Use of Land
On Site		Residential
Property Abutting – North of Site		church
Property Abutting – South of Site		Residential
Property Abutting – East of Site		Residential
Property Abutting – West of Site		Funeral Home

f. Describe any existing structures and the physical attributes of the site:

flat Residential lot

e. Will the building within this proposed development house any hazardous materials at occupancy?

No

Yes – Please continue by describing the type and quantity of materials:

4. Fire Department Approval of Site and Building Plans:

The City requires that the Fire Department must approve all site and building plans. This application and associated documentation must be approved by the Fire Chief or his designee. This approval can be arranged by calling the Fire Chief's office.

Rich Murphy will obtain

Approval Date: _____

Conditions Attached *approval*

By: _____

Yes

No

Title: _____

5. Required and Requested Attachments

a. _____ Plat of survey with legal description.

b. Site plan of proposed use or project showing traffic patterns, parking locations and count, drainage patterns including detention areas, landscape plans, landscaping plans, exterior lighting locations and illumination pattern, building façade portrait and building size and location dimensions. *See attached site plan*

c. _____ Floodplain / hazard map (engineers drawing or FEMA map showing location of subject project).

d. Please include any additional comments or pertinent information below or on separate attachment to this application.

Description of the Proposed Development

a. Please describe the proposed use of the land and/or buildings assuming approval of the request:

See attached project summary.

b. What is the proposed time frame for the build – out of the proposed development?

c. Please describe the number of buildings, square footage of each building and the total square footage of the development along with the required number of parking spaces for each intended use:

Building Use	Number of Buildings	Building Area (sq. ft.)	Total Building (sq. ft.)	Req. Parking
Single Family	<u>1</u>	<u>195⁺ See attached floor plan of solar room</u>	<u>2613</u>	<u>1-2 spaces</u>
Multi Family	_____	_____	_____	_____
Retail	_____	_____	_____	_____
Office	_____	_____	_____	_____
Industrial	_____	_____	_____	_____
Other	_____	_____	_____	_____

Other please specify type of use _____

Totals _____

d. Please describe the number of water and sewer connections this development will require:

Building Use	Water Connections & Size	Sewer Connection
Single Family	<u>no additional sewer or water lines needed</u>	_____
Multi – Family	_____	_____
Retail	_____	_____
Office	_____	_____
Industrial	_____	_____
Other	_____	_____

Other please specify type of use _____

Totals _____

6. Signature and Declaratory Statement

a. Please describe the reason that this petition should be granted:

See Attached Project Summary

b. **Required Attendance at Public Hearing and / or Plan Commission Meeting(s):** The Plan Commission and the Board of Appeals have established a policy requiring the applicant or a designed representative of the applicant shall be present at any meeting or public hearing at which the matter will be considered. Failure of the applicant or designee of the applicant to appear before the Plan Commission or Board of Appeals is ground to postpone consideration of the application.

a. Declaratory Statement: I Lindsay Summers, hereby certify that all information contained in this application and accompanying documentation is true and correct to the best of my knowledge and further, I acknowledge the attendance responsibilities of the applicant as set forth in paragraph b above.

b. Date: 1.27.2023

c. Applicant Signature: [Signature]

d. Notary Public Certification Statement

I Kalla Langston, Notary Public in and for the State of Michigan

hereby state that on the 27 day of Jan, 2023, the above captioned Applicant appeared before me and, under oath, stated that all matters contained in this

Application for Land Development are true.
[Signature]
Notary Public

My commission expires June 9, 2025

The following signature is required, for verification that this is a valid and complete application to be considered by the Plan Commission or Zoning Board of Appeals.

Date
Zoning Administrator

Meeting date for initial review: _____

Lindsey Summers - One Chair In Home Salon

Project Summary

The proposed request for a one chair, in home salon is with the intent to harmoniously enhance the quality of life for not only myself, but the community as well. With the recent changes in the economy, my children, marital status, and salon rent increasing, it initiated a look into how I could better serve my family, clients, time, energy and community. After careful thought, resourcefulness, and research, the initiation to turn a space of my home into a one chair salon for myself to serve my clients checked all the boxes for enhancing all of these areas.

With a 2022 cost of approximately \$10,000 in booth rent and vehicle gas, just to get to the salon I'm currently renting (in Granger) and simply be able to have a space for my clients to come, my ability to bring a salon into my home increases my bottom line immediately.

This one aspect does multiple things;

- It allows me to invest into the curb appeal of my home (which is a top priority for me)
 - Increasing property Value
 - Attracting more people into Buchanan
- Less Driving - Approximately 3-5 hours a week
 - Saves on the environment - Less emissions into the air

Additionally:

- Given I am right on Front street and in town, the added, yet non-disruptive traffic into the city brings more patrons seeing and coming through town, supporting other businesses.
- The added time I will now have and bottom line allows me more time freedom to enjoy our town and invest into the businesses as well.

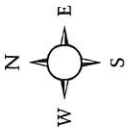
I have over 18 years in the beauty industry with a full clientele, both from Indiana and Michigan. I am also a life coach. When I bring people into the salon and the chair with me, it is more than just their hair they get done, its an opportunity to feel seen, heard and walk away feeling beautiful and amazing. With the ability to relocate to an in home salon, it will give me the ability to take on more clients, enhancing more lives, which overall enhances the quality of everybody's life.

The approval of this special use request would be greatly appreciated.

Thank you,



Lindsey Summers



Interior Of Home

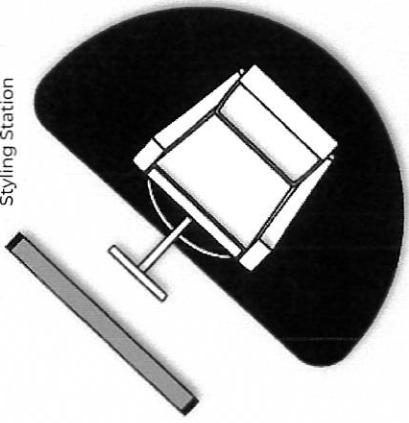
15' 0"

13' 0"

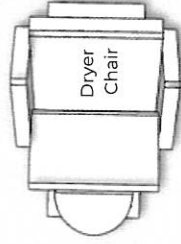
Outside Patio

One Chair
In Home Salon
Floor Plan
Lindsey Summers

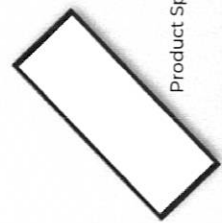
Styling Station



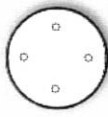
Dryer
Chair



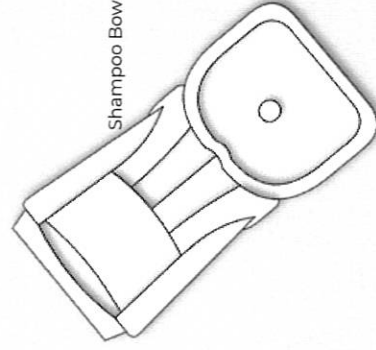
Product Space

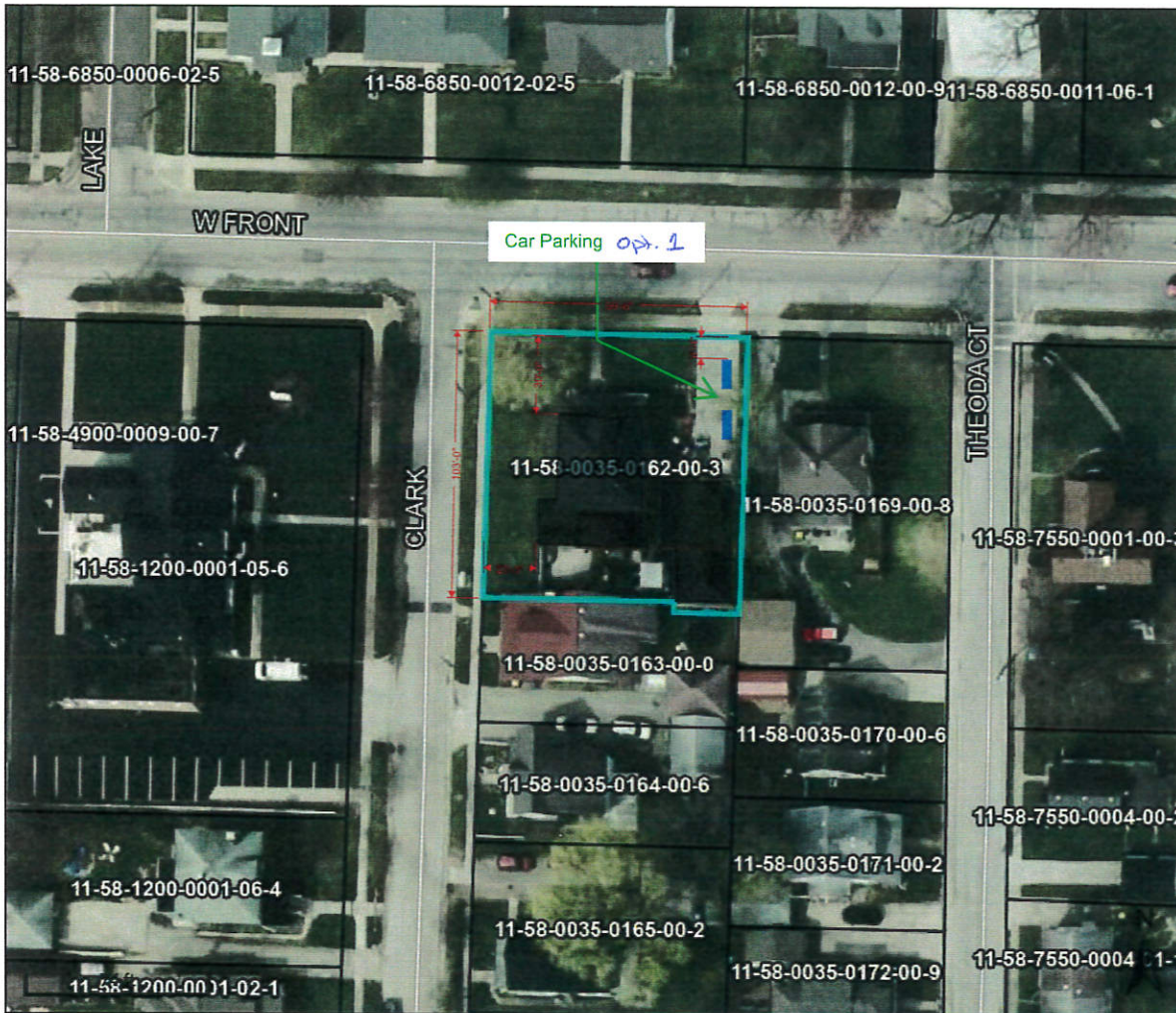


Waiting
Area

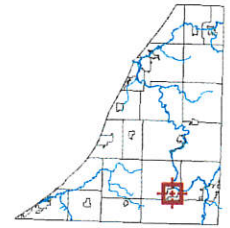


Shampoo Bowl





Overview



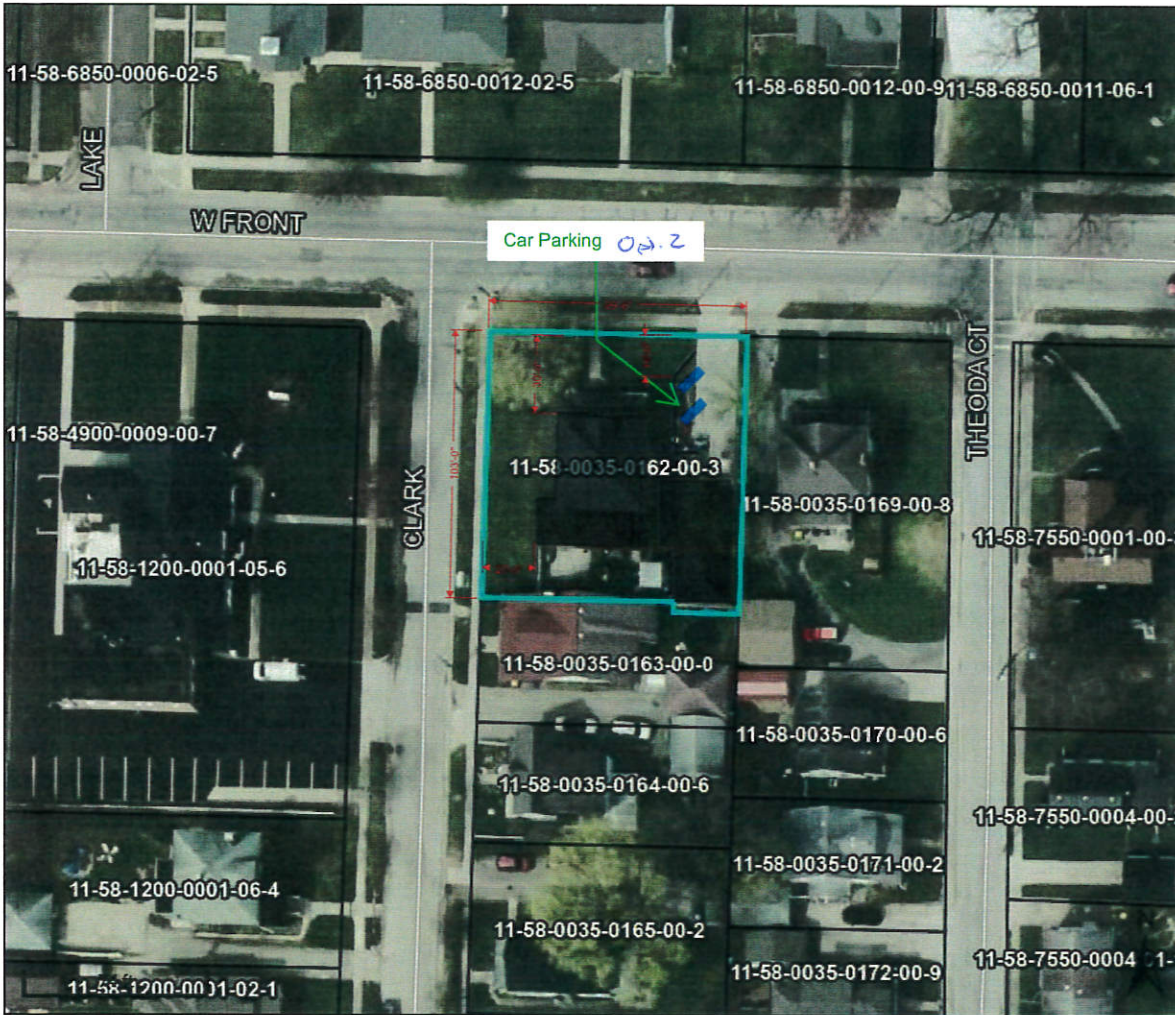
Legend

- Roads**
- Interstate
 - Major Arterial
 - Minor Arterial
 - Roads
 - <all other values>
- Parcels2022
- Lake Michigan

Parcel ID	11-58-0035-0162-00-3	Alternate ID	n/a	Owner Address	SUMMERS MICHAEL GARRETT & SUMMERS LINDSEY LEE
Sec/Twp/Rng	n/a	Class	401		207 W FRONT ST
Property Address	207 W FRONT ST BUCHANAN	Acreage	0.23		BUCHANAN, MI 49107-2222
District	11310				
Brief Tax Description	COM 49.5' E OF NE COR OF BLK A IN A B CLARK ADD TO CITY OF BUCHANAN TH E 99.5' S 107' W 25' N 4' W 74.5' TH N 103' TO BEG SEC 35 T7S R18W				
	(Note: Not to be used on legal documents)				

Date created: 1/23/2023
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Overview



Legend

- Roads**
- Interstate
 - Major Arterial
 - Minor Arterial
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City of Buchanan
302 N Redbud Trail
Buchanan, MI 49107
Phone : 2696953844
www.cityofbuchanan.com

Received From:
SUMMERS, LINDSEY

Date: 01/27/2023 Time: 9:45:23 AM
Posting Date: 01/27/2023
Receipt: 376267 *** REPRINT ***
Cashier: ELYSY

SPECIAL USE PERMIT - 207 W FRONT

ITEM REFERENCE	AMOUNT
PERMIT MISC. LICENSE & PERMITS	\$250.00
MISC. LICENSE & PERMITS	\$250.00
TOTAL	\$250.00
Cash	\$250.00
Total Tendered:	\$250.00
Change:	\$0.00

CITY OF BUCHANAN



PUBLISHED:

Berrien County Record

**NOTICE OF PUBLIC HEARING
CITY OF BUCHANAN
Plan Commission**

A Public Hearing has been set for February 14, 2023, at 7:00 p.m. at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan 49107. The purpose of the Public Hearing is for the Plan Commission to consider a Special Use Application from Lindsey Summers to operate a home occupation at her residence at 207 W. Front St., Buchanan MI 49107. At the above time and place, all interested parties will be given an opportunity to be heard before the Plan Commission issues its determination regarding the application. Parties seeking visual or audio accommodation may contact Clerk Kalla Langston at (269) 695-3844, preferably with as much advance notice as possible, so that suitable arrangements can be made to help make needed accommodations.

Written comments may also be submitted in advance of the meeting to Community Development Director Richard Murphy either by delivery to Buchanan City Hall, or via email to rmurphy@cityofbuchanan.com.

Richard Murphy
Community Development Director

Kalla Langston
City Clerk