



**THE CITY OF THE VILLAGE OF DOUGLAS
RESCHEDULED PLANNING COMMISSION
THURSDAY, FEBRUARY 20, 2025 AT 6:00 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. CALL TO ORDER: By Chair Buszka at 7:00pm

2. ROLL CALL: By Clerk Kasper

PRESENT

Chair Paul Buszka

Vice-Chair Louise Pattison

Secretary Kelli Heneghan

Commissioner John O'Malley

Commissioner Laura Peterson

Commissioner Matt Balmer

Commissioner Patty Hanson

Also Present City Clerk Laura Kasper

Planning and Zoning Administrator Sean Homyen

ABSENT

Commissioner Neal Seabert

Commissioner Thomas Hickey

A. Approval of Agenda - February 20, 2025 (additions/changes/deletions)

B. Approval of Minutes - January 9, 2025 (additions/changes/deletions)

Motion by Henneghan, seconded by Balmer to approve the February 20, 2024 agenda and January 9, 2024 regular meeting minutes. – Motion carried by unanimous voice vote.

3. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES) -

4. PUBLIC COMMUNICATION - WRITTEN

A. Bruce Stewart & Barry Wood - 460 Fremont St.

5. NEW BUSINESS

A. Public Hearing - 453 Center St – Rezone Request from R-5, Multiple Family District to C-1, Village Commercial District

Motion by Peterson, seconded by Pattison to open public hearing. - Motion carried by unanimous voice vote.

a. Applicant Presentation - The applicant explained her intent to open an Italian ice shop in front of her home. She stated that she has no plans to sell the property, convert it into a heavy commercial use, or develop it as a multi-family residence. Her goal is to continue using the property as a home. She also expressed a willingness to work with neighboring residents to address any concerns.

b. Planning and Zoning Administrators Report – Planning & Zoning Administrator Sean Homyen provided an overview of the criteria the Planning Commission will use to evaluate the request. He offered to walk through each criterion individually, should the Commissioners wish to do so.

c. Public Comments (limit 3 minutes each, please) -

Richard Marth (461 Fremont) – Expressed concerns about the rezoning request. He stated he would not like to see large-scale commercial development in the area. He referenced a site plan provided by Barry and Bruce, illustrating what the area could look like if it were converted to commercial use.

Rick Birgham (393 Fremont) – Voiced opposition to the rezoning, stating that it would have a significant impact on the surrounding neighborhood. He also began to cite specific sections of the zoning ordinance in support of his concerns.

Bruce Stewart and Barry Wood (460 Fremont) – Shared that they believe the City is not prepared for a rezoning to C-1 in this location and that such a change is not supported by the current Master Plan. They outlined several reasons why the proposal does not align with the zoning ordinance.

d. Commissioner Questions -

Commissioner Balmer noted that the existing home is legally non-conforming due to setback requirements under the R-5 zoning district. He explained that rezoning the property to C-1 would actually make the home more conforming. He emphasized that the Planning Commission should evaluate the rezoning request based on the current ordinance and not on speculation about future use. He also discussed which zoning districts allow for home occupations.

Commissioner Heneghan stated that she believes the Italian ice business is a great idea but could not recall whether it had been previously discussed by the Commission. She expressed a desire to preserve the character of the small neighborhood.

Commissioner Pattison expressed concern about spot zoning, stating that she does not support it. She added that approving the rezoning could limit the potential for attainable housing on the block. Additionally, she raised issues related to parking availability in the area and the impact on pedestrian access.

Commissioner Peterson asked the applicant about the proposed hours of operation and what was planned for the adjacent lot. The applicant responded that the hours would be similar to the Root Beer Barrel, and that the adjacent lot would be used for landscaping.

Commissioner Heneghan asked the Planning & Zoning Administrator to explain the special land use permit process.

Commissioner O'Malley spoke about the future of the area, stating that he can envision changes happening over time.

The Planning & Zoning Administrator responded by explaining that in this situation, a special land use permit would be required for ground floor residential use.

Commissioner Buszka provided his thoughts on the feedback shared during public comment and offered his analysis of the proposal based on the ordinance.

Finally, Commissioner Balmer reviewed the ordinance requirements for ground floor residential uses, noting that parking would be reviewed during the site plan process. He also offered clarification on what constitutes spot zoning and how it does not apply to the case at hand.

Motion by Balmer, seconded by O'Malley to close public hearing. - Motion carried by unanimous voice vote.

Motion by Balmer, seconded by O'Malley to approve the request made by Andrea Johnson-Wardynski for the amendment to the zoning ordinance and map in reference to a parcel of land located at 453 West Center Street (PPN 59-350-001-00), from R-5, Multiple Family District to C-1, Village Commercial District, based on the findings outlined in the staff report dated February 14, 2025.

YES

Buszka
O'Malley
Seabert
Balmer
Hanson

NO

Pattison
Heneghan

6. UNFINISHED BUSINESS

- A. Public Hearing - Recommendation to the City Council for the approval of the Master Plan update.

Motion by Peterson, seconded by Pattison to open public hearing. - Motion carried by unanimous voice vote.

- a. Planning and Zoning Administrators Report -
b. Public Comments –

Holly Anderson of 567 Wyrick congratulated the Planning Commission on the Master Plan and expressed that she thought it was very well done. She stated that she hopes the City will collaborate on the Tri-Community Master Plan. Additionally, she pointed out an error on page 51, noting that there is a 20% cap on short-term rentals in the R-1 zoning district, excluding accessory dwelling units (ADUs).

- c. Commissioner Questions -

Hanson provided feedback and requested that, in the future, notes be included to highlight the specific changes made in the Master Plan revisions to assist with the review process. Peterson expressed satisfaction with the changes. Heneghan felt the revisions were much improved but shared some confusion regarding the proposed downtown expansion. Balmer pointed out a correction related to

the residential designation for the W Center Street District, which had been forwarded to the Planning & Zoning Administrator and subsequently sent to Williams & Works for correction. Chair Buszka referenced the timeline of previous discussions concerning W Center Street.

-Motion to Close the Public Hearing (Roll Call Vote)

Motion by O'Malley seconded by Heneghan to recommend the approval of the Master Plan update by the Douglas City Council. – Motion carried by unanimous voice vote.

7. REPORTS

- A. Planning and Zoning Administrator Report – The Planning & Zoning Administrator informed the Planning Commission about potential training courses available through MSU Extension that Commissioners may consider attending that can be hosted at the City.
- B. Planning Commissioner Remarks (limit 3 minutes each, please) - Commissioner Heneghan inquired about the Code Enforcement process. The Planning & Zoning Administrator provided an overview of how the Code Enforcement Officer manages enforcement procedures. Commissioners congratulated one another on the completion of the Master Plan. Commissioner Balmer reviewed the importance of evaluating requests based on the criteria outlined in the Zoning Ordinance rather than personal opinions. Chair Buszka asked Commissioners to consider whether any of them would like to participate in the Zoning Ordinance Subcommittee. He also noted that the sign located at 319 Ferry St. has been removed from the entrance leading into the area.

- 8. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES)** – Frank Marrow (453 W. Center St.) thanked the Commissioners for their recommendation to City Council. He stated that the property is intended to remain in the family for generations and that there are no plans to sell.

9. ADJOURNMENT

Motion by Balmer, seconded by O'Malley to adjourn the meeting.