AGENDA

1. Call to Order
2. Attendance
3. Approval of the Minutes of the Previous Meeting
4. Public Comment
5. Public Hearings
   5A.1 – SUP Application- 125 Locust Street
   5A.2 – SUP Application- 110 Locust Street
6. Site Plan Reviews
7. Special Presentations
8. Discussion
9. Staff/Commission Comments
10. Adjournment
1) Call to Order

The meeting was called to order at 6:05 pm.

2) Attendance

Present: Chair Brad Burke, Cindy Thiele, Tom Morton, Rachel McKenzie, Charles Tripp, Nancy Ingalsbee

Absent: Caitlin Wendt, Julie Emmons

Others Present: Jordan Meagher, Community Development Coordinator, Lori Castello of PCI, Joel Dye, City Manager, and Catherine Kaufman of Bauckham Sparks.

To begin the meeting, Community Development Coordinator Jordan Meagher explained that each municipal board for the City of Allegan has traditionally selected a new chair and vice chair to serve at the first meeting of each calendar year. These positions cannot be filled by sitting council members.

Rachel McKenzie nominated Brad Burke as Chair of the Planning Commission. Burke accepted. Rachel McKenzie, supported by Charles Tripp, made a motion to appoint Brad Burke as Chair of the Planning Commission. Motion passed 6-0.

Charles Tripp nominated Tom Morton to serve as Vice Chair as the Planning Commission. Morton accepted. Charles Tripp, supported by Rachel McKenzie, made a motion to appoint Tom Morton as Vice Chair of the Planning Commission. Motion passed 6-0.

3) Approval of Previous Meeting Minutes

Motion to approve the minutes from the November 19, 2018 meeting was made by Cindy Thiele, and supported by Tom Morton. Motion passed 6-0. Mike Manning abstained from the vote due
to absence at the previous meeting.

4) Public Comment

No public comments were heard.

5) Public Hearings

6) Site Plan Reviews

No site plans were submitted for review.

7) Special Presentation

None were heard by the Commission.

8) Discussion

In preparation for updating the City’s Master Plan, staff had brought in Catherine Kaufman, a current partner for the law firm Baukham Sparks and former city planner, to present a training on the roles and responsibilities of a Planning Commissioner. The training included information on the Michigan Zoning Enabling Act, Michigan Planning Enabling Act, the purpose of a City’s Master Plan, and proper conduct for a Planning Commission meeting.

9) Staff/Commission Comments

Staff reminded the Commission that a special Planning Commission meeting would be held on February 4th at 6:00pm. This would replace February’s regularly scheduled meeting, which was scheduled for February 18th.

10) Adjournment

Motion by Cindy Thiele, supported by Rachel McKenzie to adjourn the meeting. Motion passed 6-0.

Meeting was adjourned at 8:10 pm.

Respectfully submitted by
Jordan Meagher, Community Development Coordinator
APPLICATION FOR
SPECIAL USE PERMIT

CITY OF ALLEGAN
112 LOCUST STREET
ALLEGAN, MI 49010

I. APPLICANT INFORMATION
NAME: Landria Christman
ADDRESS: 125 Locust St
PHONE: 269-512-7117 EMAIL: thesassypine@gmail.com

II. PROPERTY INFORMATION
PROPERTY ADDRESS IF DIFFERENT:
PARCEL NUMBER: 03-51-10521910

III. DESCRIPTION OF PROPOSED USE:
Manufacturing

IV. AFFADAVIT:
I CERTIFY THAT I AM THE (CIRCLE ONE) OWNER, LESSEE, AUTHORIZED AGENT,
of the above referenced parcel and that the above information is true.

Signature

12-5-18

FOR OFFICE USE ONLY
Date Received: Paid:
Planning Commission Hearing Date: Results:
City Council Hearing Date: Results:

Special Use Permit Fee is $250
MEMORANDUM

TO: City of Allegan Planning Commission
FROM: Lori Castello, Zoning Administrator
DATE: January 24, 2019
RE: Sassy Olive- Special Use Permit

The Planning Commission is scheduled to hear a request from Landria Christman of the Sassy Olive, lessee of permanent parcel numbers 0351-105-219-00 and -10 for a Special Use Permit and related interior plan review to renovate to conduct light assembly as an accessory to retail use within the C-1 zoning district.

Property Information
This property is located at 125 and 127 Locust Street, Allegan, MI, also known as Permanent Parcel Numbers 03-51-105-219-00 and 219-10. Currently this property is Zoned C-1 Central Business District. The property has a combined total of approximately 6098 square feet of land area.

Information provided by Applicant
The applicant has completed the application for Special Use Permit and provided site plans of the proposed building use.

Section 1707.33- Light Assembly: Light Assembly uses are allowed in the C-1 and C-2 Zoning Districts as Special Land Uses, subject to the provisions of Chapter 1801 as well as the following:
A. General Use Standards:
   1. The use shall occur in an existing building. The use is located entirely within 125/127 Locust, formerly occupied by a variety retail store.
   2. The total enclosed area of the use shall not exceed fifty (50) percent of the gross floor area of the building in which the activity takes place. The Sassy Olive occupies the first and basement floors of the building. The production area uses approximately 1680 square feet of the building which has a gross floor area of approximately 12,960 s.f. for a total use area of approximately 13% of the total gross floor area of the entire building.
   3. If occurring within a street level floor area, the light assembly use must occur at least twenty-five (25) feet from all public rights of way, or it shall be demonstrated that the use shall not be an intrusion to the pedestrian/shopping continuity of a commercial area and will not create a negative impact on adjacent residential uses. The production area is on the lower level not street level.
   4. All activities, including storage, shall be conducted entirely within the interior of the building. No outside storage is permitted. No outside storage is indicated.
5. The light assembly and associated accessory uses shall not produce any noise, vibrations, odors or heat that are detectable beyond the property line. No use of machinery which would potentially cause such nuisances is proposed.

6. The intent of these standards is to maintain the character of the district and assure visual connectedness and public safety for those within and outside the business.

B. Plan Review Standards: The applicant shall concurrently submit a site plan for light assembly use which shall comply with the standards of Chapter 1800. The proposed use is within an existing building. No changes are proposed. An interior plan is included for your review.

C. Additional Standards for C-1 Zoning District: Site plans for a light assembly use located in the C-1 Commercial District shall comply with the following requirements:

1. The exterior design of the building shall be compatible with the character of the Neighborhood Commercial District in which it is located, as perceived from the adjacent public sidewalks and streets. There is no proposed exterior change.

2. Traditional storefront design, window area, display windows and the building character shall be compatible with neighboring commercial storefronts with no blank facades along the sidewalk exceeding twenty-five (25) feet in length. The interior design shall not negate the traditional exterior storefront appearance. The assembly use does not take place on street level and therefore does not affect it.

3. The intent of these standards is to maintain the character of the district, and assure visual connectedness and public safety for those within and without the business.

Section 1801.01 Standards for consideration of Special Uses (General)

The review of a special use shall consider the following:

A. The general safety, health and welfare of the community at large, this shall include:

1. Accessibility of the property in question to fire and police protection. The proposed use lies within an existing structure.

2. Traffic conditions creating or adding to a hazardous situation. The building has entry from both Locust and the alley behind the building.

3. Transportation design requirements if any, which will be needed to accommodate any traffic impact for the use intended; and No additional traffic will be created over and above that of a solely retail space.

4. Appropriateness of the location, nature and height of the proposed use to the size, type, and kind of buildings, uses, and structures in the vicinity and adjacent properties, including the safety and convenience of people therefrom. Section 1707.33 (above) permits light assembly within the C-1 and C-2 zoning districts subject to the requirements therein.

B. Any potential decrease in the market value of adjacent buildings, uses and structures which are permitted by right under current zoning if the proposed use is granted; As this is more of an accessory use to increase the availability of artisan crafted goods, the market value likely not impacted negatively.

C. Harmony with the Comprehensive Planning Program of the City of Allegan. This considers whether the location and size of the proposed use, the nature and intensity of the activities involved, the size of the site with respect to existing and future streets (giving access to it), parks and drainage systems will be in harmony with the Comprehensive plan of the City of Allegan and the character of land use which is intended by said city Plan for the area or district in question; By making use of an existing building that supports retail sales, the proposed accessory use meets the goals of the Master Plan.
D. Impact from the applicant's proposed use, its location and intensity and the height of its buildings, walls, fences and other structures upon the appropriate character of development intended for the area as deemed desirable by the City of Allegan Comprehensive Plan; **No exterior changes are proposed.**

E. Any hazards arising from storage and use of flammable fluids; and **No storage or use of flammable fluids is proposed.**

F. That the operations in connection with any special use shall not be environmentally objectionable to nearby properties by reason of noise, fumes, pollution, vibration, or lights to an extent which is more that would be the operations of any use permitted by right for that district wherein the special use is proposed. **The proposed operation shall take place within a completely enclosed structure and meets the criteria of 1707.33.A which limits these same potential nuisances.**

**Summary:** The Applicant is asking for approval of a Special Use Permit and corresponding site plan, based on an operation that runs concurrent with retail operations. Should the Planning Commission choose to approve the Special Use, any conditions of approval should be reflected in the minutes. The above memo includes my findings of fact for the Standards of Approval. I am attaching a blank Findings of Fact worksheet for you. It is my hope you will consider these standards individually prior to the meeting and discuss at that time. If the Planning Commission as a whole determines that the proposed use meets the Standards for Special Use, recommendation along with any conditions noted for approval is indicated. If the Standards are not met, then recommendation for denial is indicated. In either situation, a completed Findings of Fact by the PC as a whole should accompany any recommendation to the City Council who has final authority to approve a Special Use Permit.

**Conclusion:** I hope the information provided is helpful to you as you consider this Site Plan Review request. If you have any questions or concerns please do not hesitate to contact me and I will assist in any way that I am able. You may reach me by phone at either (616) 877-2000 Ext. 412 or 1-800-628-3335 or email at lori@pcimi.com.

Sincerely,

[Signature]

Lori Castello
Zoning Administrator
CITY OF ALLEGAN PLANNING COMMISSION
FINDINGS OF FACT- LIGHT ASSEMBLY IN C-1 AND C-2 SPECIAL USE

Section 1707.33 - Light Assembly: Light Assembly uses are allowed in the C-1 and C-2 Zoning Districts as Special Land Uses, subject to the provisions of Chapter 1801 as well as the following:

A. General Use Standards:
1. The use shall occur in an existing building.
   The proposed use____ Complies ___ Does Not Comply.
   Reasons:

2. The total enclosed area of the use shall not exceed fifty (50) percent of the gross floor area of the building in which the activity takes place.
   The proposed use____ Complies ___ Does Not Comply.
   Reasons:

3. If occurring within a street level floor area, the light assembly use must occur at least twenty-five (25) feet from all public rights of way, or it shall be demonstrated that the use shall not be an intrusion to the pedestrian/shopping continuity of a commercial area and will not create a negative impact on adjacent residential uses.
   The proposed use____ Complies ___ Does Not Comply.
   Reasons:

4. All activities, including storage, shall be conducted entirely within the interior of the building. No outside storage is permitted.
   The proposed use____ Complies ___ Does Not Comply.
   Reasons:

5. The light assembly and associated accessory uses shall not produce any noise, vibrations, odors or heat that are detectable beyond the property line.
   The proposed use____ Complies ___ Does Not Comply.
   Reasons:

6. The intent of these standards is to maintain the character of the district and assure visual connectedness and public safety for those within and outside the business.
   The proposed use____ Complies ___ Does Not Comply.
   Reasons:

B. Plan Review Standards: The applicant shall concurrently submit a site plan for light assembly use which shall comply with the standards of Chapter 1800.
   The proposed use____ Complies ___ Does Not Comply.
   Reasons:

C. Additional Standards for C-1 Zoning District: Site plans for a light assembly use located in the C-1 Commercial District shall comply with the following requirements:
   1. The exterior design of the building shall be compatible with the character of the Neighborhood Commercial District in which it is located, as perceived from the adjacent public sidewalks and streets.
      The proposed use____ Complies ___ Does Not Comply.
      Reasons:

   2. Traditional storefront design, window area, display windows and the building character shall be compatible with neighboring commercial storefronts with no blank facades along the sidewalk exceeding twenty-five (25) feet in length. The interior design shall not negate the traditional exterior storefront appearance.
      The proposed use____ Complies ___ Does Not Comply.
      Reasons:
3. The intent of these standards is to maintain the character of the district, and assure visual
cleanliness and public safety for those within and without the business.
The proposed use  ___ Complies  ____ Does Not Comply.
Reasons:

Section 1801.01 Standards for consideration of Special Uses
The review of a special use shall consider the following:

A. The general safety, health, and welfare of the community at large, this shall include:
   1. Accessibility of the property in question to fire and police protection.
      The proposed use  ___ Complies  ____ Does Not Comply.
      Reasons:

   2. Traffic conditions creating or adding to a hazardous situation.
      The proposed use  ___ Complies  ____ Does Not Comply.
      Reasons:

   3. Transportation design requirements if any, which will be needed to accommodate any traffic impact for
      the use intended; and
      The proposed use  ___ Complies  ____ Does Not Comply.
      Reasons:

   4. Appropriateness of the location, nature and height of the proposed use to the size, type, and kind of
      buildings, uses, and structures in the vicinity and adjacent properties, including the safety and convenience of people therefrom.
      The proposed use  ___ Complies  ____ Does Not Comply.
      Reasons:

B. Any potential decrease in the market value of adjacent buildings, uses and structures which are permitted by right
   under current zoning if the proposed use is granted;
   The proposed use  ___ Complies  ____ Does Not Comply.
   Reasons:

C. Harmony with the Comprehensive Planning Program of the City of Allegan. This considers whether the location
   and size of the proposed use, the nature and intensity of the activities involved, the size of the site with respect to
   existing and future streets (giving access to it), parks and drainage systems will be in harmony with the
   Comprehensive plan of the City of Allegan and the character of land use which is intended by said city Plan for
   the area or district in question;
   The proposed use  ___ Complies  ____ Does Not Comply.
   Reasons:

D. Impact from the applicant’s proposed use, its location and intensity and the height of its buildings, walls, fences
   and other structures upon the appropriate character of development intended for the area as deemed desirable by
   the City of Allegan Comprehensive Plan;
   The proposed use  ___ Complies  ____ Does Not Comply.
   Reasons:

E. Any hazards arising from storage and use of flammable fluids; and
   The proposed use  ___ Complies  ____ Does Not Comply.
   Reasons:

F. That the operations in connection with any special use shall not be environmentally objectionable to nearby
   properties by reason of noise, fumes, pollution, vibration, or lights to an extent which is more that would be the
   operations of any use permitted by right for that district wherein the special use is proposed.
   The proposed use  ___ Complies  ____ Does Not Comply.
   Reasons:
Based on the above Findings of Fact, the Planning Commission recommends to City Council that the proposed Special Use be:

___ Approved

___ As Presented

___ With the Following Conditions:


___ Denied

Planning Commission Chair Signature: ___________________________ Date: __________
CITY OF ALLEGAN
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE the Planning Commission of the City of Allegan, Michigan, shall hold a public hearing on Monday, February 4, 2019 at 6:00 p.m. at the Griswold Auditorium, 401 Hubbard Street, Allegan, Michigan to consider the following recommendations for Amendment of the City of Allegan Zoning Ordinance to City Council:

1. An Application from Philip Siegler of Morph, LLC, owner, for a Special Use Permit to conduct a mixed retail and Light Assembly operation at 106 Locust Street, also known as permanent parcel number 03-51-205-019-00, per Section 1707.33 of the City of Allegan Zoning Ordinance.

2. An Application from Landria Christman, Lessee, for a Special Use Permit to conduct a mixed retail and Light Assembly operation at 125/127 Locust Street, also known as permanent parcel numbers 03-51-105-219-10 and 0351-10-105-219-00, per Section 1707.33 of the City of Allegan Zoning Ordinance.

A copy of the applications is available for viewing at City Hall during regular business hours. Questions and comments regarding this petition may be submitted prior to the Public Hearing to the Zoning Administrator at 1575 42nd Ave. Dorr, MI 49323 or calling 616-877-2000.

PLEASE TAKE FURTHER NOTICE that the City of Allegan will provide necessary, reasonable auxiliary aids and services at the hearing to individuals with disabilities upon five (5) days written notice to the City Clerk at 112 Locust Street, Allegan, MI, 49010 or by phone 269-673-5511.

BRAD BURKE, CHAIRMAN
CITY OF ALLEGAN PLANNING COMMISSION
269-673-5511
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APPLICATION FOR
SPECIAL USE PERMIT

CITY OF ALLEGAN
112 LOCUST STREET
ALLEGAN, MI 49010

I. APPLICANT INFORMATION

NAME: MORPH LLC
ADDRESS: 110 LOCUST ST
PHONE: 269-673-5478 X 224  EMAIL: phil@saintsrecovery.com

II. PROPERTY INFORMATION

PROPERTY ADDRESS IF DIFFERENT: 106 LOCUST ST
PARCEL NUMBER: 03-51-205-019-00

III. DESCRIPTION OF PROPOSED USE:

RETAIL SALES OF GUNS AND GUN SLINGS, ON-SITE MANUFACTURING OF SLINGS VIA BRAIDING, HAND ASSEMBLY OF PARTS, LIGHT SELLING MACHINE, SHIPPING

IV. AFFADAVIT:

I CERTIFY THAT I AM THE (CIRCLE ONE) OWNER, LESSEE, AUTHORIZED AGENT, OF THE ABOVE REFERENCED PARCEL AND THAT THE ABOVE INFORMATION IS TRUE.

PHILIP C SIEGLER

FOR OFFICE USE ONLY

Date Received: ________________  Paid: ________________
Planning Commission Hearing Date: ________________  Results: ________________
City Council Hearing Date: ________________  Results: ________________

Special Use Permit Fee is $250
MORPH LLC

LOCUST ST

10'6"

36'

18'

24'

20'

ENTIRE BASEMENT LEVEL AVAILABLE FOR COMBINATION OF STORAGE & ASSEMBLY

RETAIL

LIGHT MFR/ASSEMBLY

STORAGE
PROFESSIONAL CODE INSPECTIONS
OF MICHIGAN, INC.
1575 142nd Avenue
Dorr, MI 49323
(616) 877-2000
(Fax) #(616) 877-4455

MEMORANDUM

TO: City of Allegan Planning Commission
FROM: Lori Castello, Zoning Administrator
DATE: January 24, 2019
RE: MORPH LLC- Special Use Permit

The Planning Commission is scheduled to hear a request from Philip Siegler, owner of 106 Locust Street for a Special Use Permit and related interior plan review to renovate to conduct light assembly as an accessory to retail use within the C-1 zoning district.

Property Information
This property is located at 106 Locust Street, Allegan, MI, also known as Permanent Parcel Number 03-51-2015-019-00. Currently this property is Zoned C-1 Central Business District. The property has a combined total of approximately 2613 square feet of land area, upon which the existing building has approximately 4680 square feet.

Information provided by Applicant
The applicant has completed the application for Special Use Permit and provided an interior plan of the proposed building use on the main floor.

Section 1707.33- Light Assembly: Light Assembly uses are allowed in the C-1 and C-2 Zoning Districts as Special Land Uses, subject to the provisions of Chapter 1801 as well as the following:
A. General Use Standards:
   1. The use shall occur in an existing building. The use is located entirely within 106 Locust, formerly occupied by a variety retail store.
   2. The total enclosed area of the use shall not exceed fifty (50) percent of the gross floor area of the building in which the activity takes place. The Sassy Olive occupies the first and basement floors of the building. The production area uses approximately 360 square feet of the building, or approximately 7% of the total gross floor area of the entire building. There is a note on the site plan regarding potential use of lower floor level for storage and assembly as well. The Planning Commission should discuss this and have clear direction in the minutes as to any additional proposed areas should the owner wish to expand.
   3. If occurring within a street level floor area, the light assembly use must occur at least twenty five (25) feet from all public rights of way, or it shall be demonstrated that the use shall not be an intrusion to the pedestrian/shopping continuity of a commercial area and
will not create a negative impact on adjacent residential uses. The production area is on the street level, approximately 35 feet from the Locust street entrance.

4. All activities, including storage, shall be conducted entirely within the interior of the building. No outside storage is permitted. No outside storage is indicated.

5. The light assembly and associated accessory uses shall not produce any noise, vibrations, odors or heat that are detectable beyond the property line. No use of machinery which would potentially cause such nuisances is proposed.

6. The intent of these standards is to maintain the character of the district and assure visual connectedness and public safety for those within and outside the business.

B. Plan Review Standards: The applicant shall concurrently submit a site plan for light assembly use which shall comply with the standards of Chapter 1800. The proposed use is within an existing building. No changes are proposed. An interior plan of the main floor is included for your review. The applicant has noted that potential space also exists in the basement level. Any approvals for such use should be clearly indicated in the minutes. Based on the square footage of the building and proposed layout of the first level, the entire lower level could potentially qualify for assembly space without exceeding the 50% of the gross floor area of the building.

C. Additional Standards for C-1 Zoning District: Site plans for a light assembly use located in the C-1 Commercial District shall comply with the following requirements:

1. The exterior design of the building shall be compatible with the character of the Neighborhood Commercial District in which it is located, as perceived from the adjacent public sidewalks and streets. There is no proposed exterior change.

2. Traditional storefront design, window area, display windows and the building character shall be compatible with neighboring commercial storefronts with no bland facades along the sidewalk exceeding twenty-five (25) feet in length. The interior design shall not negate the traditional exterior storefront appearance. The assembly use takes place behind the storefront and therefore does not affect it.

3. The intent of these standards is to maintain the character of the district, and assure visual connectedness and public safety for those within and without the business.

Section 1801.01 Standards for consideration of Special Uses (General)

The review of a special use shall consider the following:

A. The general safety, health and welfare of the community at large, this shall include:

1. Accessibility of the property in question to fire and police protection. The proposed use lies within an existing structure.

2. Traffic conditions creating or adding to a hazardous situation. The proposed use does not affect pedestrian or vehicle traffic flow in any way.

3. Transportation design requirements if any, which will be needed to accommodate any traffic impact for the use intended; and No additional traffic will be created over and above that of a solely retail space.

4. Appropriateness of the location, nature and height of the proposed use to the size, type, and kind of buildings, uses, and structures in the vicinity and adjacent properties, including the safety and convenience of people therefrom. Section 1707.33 (above) permits light assembly within the C-1 and C-2 zoning districts subject to the requirements therein.

B. Any potential decrease in the market value of adjacent buildings, uses and structures which are permitted by right under current zoning if the proposed use is granted; As this is more of an
accessory use to increase the availability of artisan crafted goods, the market value likely not impacted negatively.

C. Harmony with the Comprehensive Planning Program of the City of Allegan. This considers whether the location and size of the proposed use, the nature and intensity of the activities involved, the size of the site with respect to existing and future streets (giving access to it), parks and drainage systems will be in harmony with the Comprehensive plan of the City of Allegan and the character of land use which is intended by said city Plan for the area or district in question. By making use of an existing building that supports retail sales, the proposed accessory use meets the goals of the Master Plan.

D. Impact from the applicant’s proposed use, its location and intensity and the height of its buildings, walls, fences and other structures upon the appropriate character of development intended for the area as deemed desirable by the City of Allegan Comprehensive Plan; No exterior changes are proposed.

E. Any hazards arising from storage and use of flammable fluids; and No storage or use of flammable fluids is proposed.

F. That the operations in connection with any special use shall not be environmentally objectionable to nearby properties by reason of noise, fumes, pollution, vibration, or lights to an extent which is more that would be the operations of any use permitted by right for that district wherein the special use is proposed. The proposed operation shall take place within a completely enclosed structure and meets the criteria of 1707.33.A which limits these same potential nuisances.

Summary: The Applicant is asking for approval of a Special Use Permit and corresponding site plan, based on an operation that runs concurrent with retail operations. Should the Planning Commission choose to approve the Special Use, any conditions of approval should be reflected in the minutes. The above memo includes my findings of fact for the Standards of Approval. I am attaching a blank Findings of Fact worksheet for you. It is my hope you will consider these standards individually prior to the meeting and discuss at that time. If the Planning Commission as a whole determines that the proposed use meets the Standards for Special Use, recommendation along with any conditions noted for approval is indicated. If the Standards are not met, then recommendation for denial is indicated. In either situation, a completed Findings of Fact by the PC as a whole should accompany any recommendation to the City Council who has final authority to approve a Special Use Permit.

*Any future lower level use for assembly would need additional approval unless the Planning Commission and Council approve additional space thereon within the minutes. This should be discussed and included to clarify the PC’s findings and decision.

Conclusion: I hope the information provided is helpful to you as you consider this Site Plan Review request. If you have any questions or concerns please do not hesitate to contact me and I will assist in any way that I am able. You may reach me by phone at either (616) 877-2000 Ext. 412 or 1-800-628-3335 or email at lori@pcimi.com.

Sincerely,

[Signature]

Lori Castello
Zoning Administrator
CITY OF ALLEGAN PLANNING COMMISSION
FINDINGS OF FACT - LIGHT ASSEMBLY IN C-1 AND C-2 SPECIAL USE

Section 1707.33 - Light Assembly: Light Assembly uses are allowed in the C-1 and C-2 Zoning Districts as Special Land Uses, subject to the provisions of Chapter 1801 as well as the following:
A. General Use Standards:
   1. The use shall occur in an existing building.
      The proposed use ___ Complies ___ Does Not Comply.
      Reasons:

   2. The total enclosed area of the use shall not exceed fifty (50) percent of the gross floor area of the building in which the activity takes place.
      The proposed use ___ Complies ___ Does Not Comply.
      Reasons:

   3. If occurring within a street level floor area, the light assembly use must occur at least twenty five (25) feet from all public rights of way, or it shall be demonstrated that the use shall not be an intrusion to the pedestrian/shopping continuity of a commercial area and will not create a negative impact on adjacent residential uses.
      The proposed use ___ Complies ___ Does Not Comply.
      Reasons:

   4. All activities, including storage, shall be conducted entirely within the interior of the building. No outside storage is permitted.
      The proposed use ___ Complies ___ Does Not Comply.
      Reasons:

   5. The light assembly and associated accessory uses shall not produce any noise, vibrations, odors or heat that are detectable beyond the property line.
      The proposed use ___ Complies ___ Does Not Comply.
      Reasons:

   6. The intent of these standards is to maintain the character of the district and assure visual connectedness and public safety for those within and outside the business.
      The proposed use ___ Complies ___ Does Not Comply.
      Reasons:

B. Plan Review Standards: The applicant shall concurrently submit a site plan for light assembly use which shall comply with the standards of Chapter 1800.
   The proposed use ___ Complies ___ Does Not Comply.
   Reasons:

C. Additional Standards for C-1 Zoning District: Site plans for a light assembly use located in the C-1 Commercial District shall comply with the following requirements:
   1. The exterior design of the building shall be compatible with the character of the Neighborhood Commercial District in which it is located, as perceived from the adjacent public sidewalks and streets.
      The proposed use ___ Complies ___ Does Not Comply.
      Reasons:

   2. Traditional storefront design, window area, display windows and the building character shall be compatible with neighboring commercial storefronts with no blank facades along the sidewalk exceeding twenty five (25) feet in length. The interior design shall not negate the traditional exterior storefront appearance.
      The proposed use ___ Complies ___ Does Not Comply.
      Reasons:
3. The intent of these standards is to maintain the character of the district, and assure visual connectedness and public safety for those within and without the business.

The proposed use  Complies  Does Not Comply.
Reasons: ____________________________________________________________

Section 1801.01 Standards for consideration of Special Uses

The review of a special use shall consider the following:

A. The general safety, health and welfare of the community at large, this shall include:
   1. Accessibility of the property in question to fire and police protection.
      The proposed use  Complies  Does Not Comply.
      Reasons: _________________________________________________________

2. Traffic conditions creating or adding to a hazardous situation.
   The proposed use  Complies  Does Not Comply.
   Reasons: _________________________________________________________

3. Transportation design requirements if any, which will be needed to accommodate any traffic impact for the use intended; and
   The proposed use  Complies  Does Not Comply.
   Reasons: _________________________________________________________

4. Appropriateness of the location, nature and height of the proposed use to the size, type, and kind of buildings, uses, and structures in the vicinity and adjacent properties, including the safety and convenience of people therefrom.
   The proposed use  Complies  Does Not Comply.
   Reasons: _________________________________________________________

B. Any potential decrease in the market value of adjacent buildings, uses and structures which are permitted by right under current zoning if the proposed use is granted;
   The proposed use  Complies  Does Not Comply.
   Reasons: _________________________________________________________

C. Harmony with the Comprehensive Planning Program of the City of Allegan. This considers whether the location and size of the proposed use, the nature and intensity of the activities involved, the size of the site with respect to existing and future streets (giving access to it), parks and drainage systems will be in harmony with the Comprehensive plan of the City of Allegan and the character of land use which is intended by said city Plan for the area or district in question;
   The proposed use  Complies  Does Not Comply.
   Reasons: _________________________________________________________

D. Impact from the applicant’s proposed use, its location and intensity and the height of its buildings, walls, fences and other structures upon the appropriate character of development intended for the area as deemed desirable by the City of Allegan Comprehensive Plan;
   The proposed use  Complies  Does Not Comply.
   Reasons: _________________________________________________________

E. Any hazards arising from storage and use of flammable fluids; and
   The proposed use  Complies  Does Not Comply.
   Reasons: _________________________________________________________

F. That the operations in connection with any special use shall not be environmentally objectionable to nearby properties by reason of noise, fumes, pollution, vibration, or light to an extent which is more that would be the operations of any use permitted by right for that district wherein the special use is proposed.
   The proposed use  Complies  Does Not Comply.
   Reasons: _________________________________________________________
Based on the above Findings of Fact, the Planning Commission recommends to City Council that the proposed Special Use be:

___ Approved

___ As Presented

___ With the Following Conditions:


___ Denied

Planning Commission Chair Signature: ___________________________ Date: __________
CITY OF ALLEGAN
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE the Planning Commission of the City of Allegan, Michigan, shall hold a public hearing on Monday, February 4, 2019 at 6:00 p.m. at the Griswold Auditorium, 401 Hubbard Street, Allegan, Michigan to consider the following recommendations for Amendment of the City of Allegan Zoning Ordinance to City Council:

1. An Application from Philip Siegler of Morph, LLC, owner, for a Special Use Permit to conduct a mixed retail and Light Assembly operation at 106 Locust Street, also known as permanent parcel number 03-51-205-019-00, per Section 1707.33 of the City of Allegan Zoning Ordinance.

2. An Application from Landria Christman, Lessee, for a Special Use Permit to conduct a mixed retail and Light Assembly operation at 125/127 Locust Street, also known as permanent parcel numbers 03-51-105-219-10 and 0351-10-105-219-00, per Section 1707.33 of the City of Allegan Zoning Ordinance.

A copy of the applications is available for viewing at City Hall during regular business hours. Questions and comments regarding this petition may be submitted prior to the Public Hearing to the Zoning Administrator at 1575 142nd Ave. Dorr, MI 49323 or calling 616-877-2000.

PLEASE TAKE FURTHER NOTICE that the City of Allegan will provide necessary, reasonable auxiliary aids and services at the hearing to individuals with disabilities upon five (5) days written notice to the City Clerk at 112 Locust Street, Allegan, MI, 49010 or by phone 269-673-5511.

BRAD BURKE, CHAIRMAN
CITY OF ALLEGAN PLANNING COMMISSION
269-673-5511
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<td>C &amp; D STURGIS ENTERPRISES LLC</td>
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