

Please select the appropriate Zoning Application you are requesting. The directions for each are listed on the following page.

☒ Rezoning \$200	_____ Zoning Board of Appeals \$150
_____ Planned Unit Development (PUD)	_____ Planning Board Regular Business \$35
_____ Street Vacation \$200	_____ (i.e., Sign Reviews)
_____ Special Land Use \$150	_____ Site Plan Reviews \$85 (Includes 2 reviews
_____ Plat (includes Preliminary & Final) \$200	_____ Additional reviews charged \$50/Hr by Fire Marshall)

Total Acreage .23 M/L Building Dimensions (LxWxH) _____
Construction Type _____ Number of Stories _____
Zone Classification: Present OS-2 Proposed B-2
Present Use of Property Vacant / For Sale
Proposed Use of Property Short Term Rental

NAME, ADDRESS, EMAIL ADDRESS, PHONE NUMBER, and INTEREST

1. Sarah Glidewell - [REDACTED] Grand Haven MI 49417 - [REDACTED]
2. _____
3. _____
4. _____

Signature of Owner _____

Signature of Applicant / Representative _____

11.22.24

Date

12/2/24

Date

Exhibit A

Parcel 86-159: The North 1/2 of Lots 7 and 8, Block 4, and the West 3.40 feet of the North 1/2 of Lot 9, Block 4, Mitchell's Revised Plat of Clam Lake (Now the City of Cadillac), Section 33, T22N, R9W, City of Cadillac, Wexford County, Michigan.

128 PINE STREET

REZONING APPLICATION

Matthew McCall-Stillman submitted an application to rezone property located at 128 Pine Street from OS-2 to B-2, with the applicable fee, in accordance with the City of Cadillac Zoning Ordinance.

The applicant is requesting the property be rezoned to B-2 to allow short-term rentals at the location. The property was purchased for use as a vacation rental before the City had a short-term rental ordinance in place. This property is uniquely suited for this use as it has high quality finishes and amenities for entertainment, including a home theater room and outdoor living space with a pool and hot tub. The neighboring parcels include one residence, the Book Nook (a commercial property zoned B-2), and a parking lot. It is one block away from Mitchell Street, the main commercial corridor in the City.

The applicant submits the proposed rezoning is consistent with the purpose and intent of the City of Cadillac's Zoning Ordinance and Master Plan for the following reasons:

1. The City recently adopted a Short-Term Rental ordinance which recognizes the desirability of allowing such uses in limited areas, including the B-2 zone. The property currently borders on the B-2 district and is a natural extension of that boundary.
2. The Master Plan objectives include "promoting the conversion of single family dwellings into business uses" and building "a strong and energetic downtown that is pedestrian oriented and comprises a range of business uses."
3. The DDA objectives include promoting the economic development and maintaining and improving property values within the district.
4. The property has been improved beyond the standard finishes for housing in the neighborhood. The amenities make it particularly suitable for use as a short-term rental. The yard is surrounded by a high, solid wood fence to reduce noise, the game room is located in the lower level for further noise reduction. There is ample parking in the attached garage and in the extensive driveways.
5. The rental rate for this property is five times the market average for the area and, therefore, allowing a short-term rental use will not negatively impact affordable housing in the area. It has been on the market for several months with no interest from potential buyers as a full-time residence.
6. Downtown Cadillac does not have tourist lodging; therefore short-term rentals provide the best opportunity for tourists and visitors to experience the downtown environment in a pedestrian friendly manner.
7. The rezoning request conforms with the Zoning Ordinance considerations for such amendments in that:
 - a. It is consistent with the Master Plan Zoning objectives noted above.
 - b. It is consistent with adjacent property uses.
 - c. Rezoning this property will increase property values and bring tourists and visitors to the downtown district.

- d. As an operating rental, the owners employed six cleaning staff and two handymen for maintenance and repairs. Additionally, regular contractors for pool service, snow plowing, yard service and delivery are also employed.

With this narrative, the attached letters from local residents and business owners indicate the local support for this rezoning.

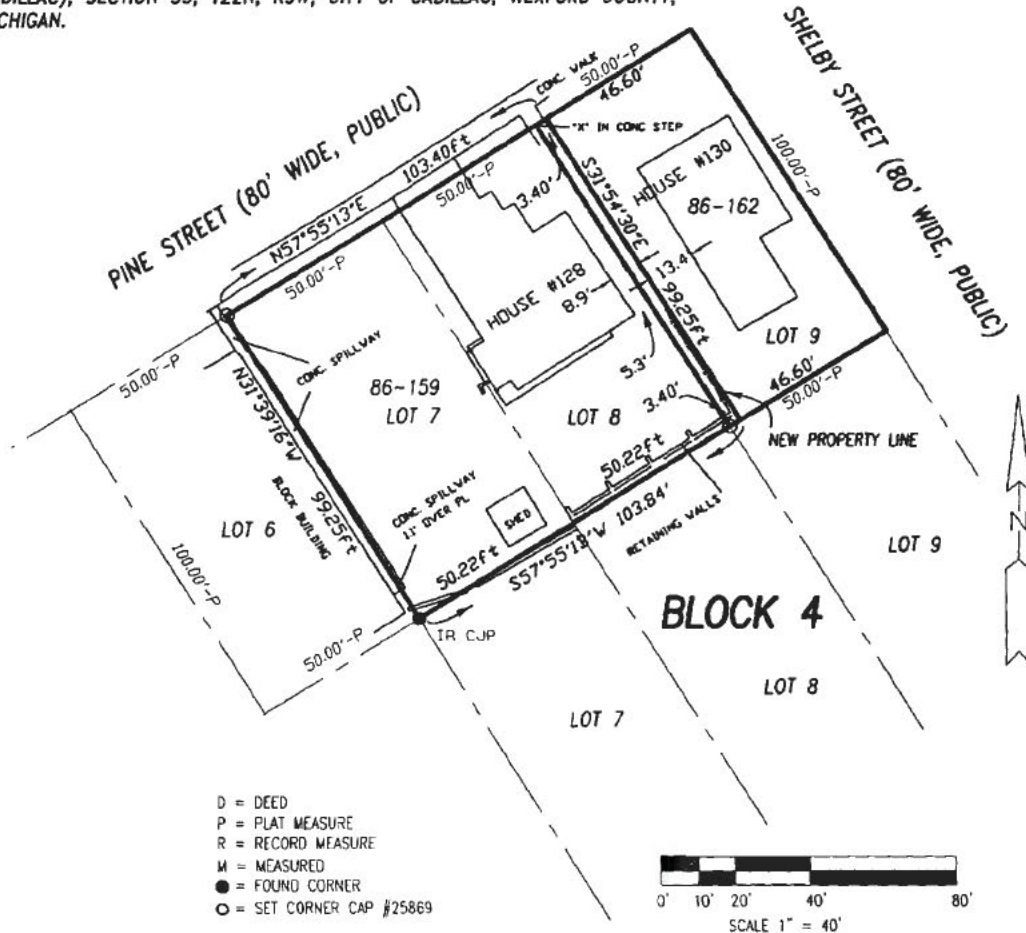
CERTIFICATE OF SURVEY

PARCEL 86-159: THE NORTH 1/2 OF LOTS 7 AND 8, BLOCK 4, AND THE WEST 3.40 FEET OF THE NORTH 1/2 OF LOT 9, BLOCK 4, MITCHELL'S REVISED PLAT OF CLAM LAKE (NOW THE CITY OF CADILLAC), SECTION 33, T22N, R9W, CITY OF CADILLAC, WEXFORD COUNTY, MICHIGAN.

PARCEL 86-162 REVISED: NORTH 1/2 OF LOT 9, BLOCK 4, MITCHELL'S REVISED PLAT OF CLAM LAKE (NOW THE CITY OF CADILLAC). SECTION 33, T22N, R9W, CITY OF CADILLAC, WEXFORD COUNTY, MICHIGAN. EXCEPT THE WEST 3.40 FEET THEREOF.

TRANSFER PARCEL (EXEMPT): THE WEST 3.40 FEET OF THE NORTH 1/2 OF LOT 9, BLOCK 4, MITCHELL'S REVISED PLAT OF CLAM LAKE (NOW THE CITY OF CADILLAC), SECTION 33, T22N, R9W, CITY OF CADILLAC, WEXFORD COUNTY, MICHIGAN.

FOR REGISTER OF DEEDS



I hereby certify that I have surveyed and mapped the land plotted and/or described hereon, that the ratio of closure on the unadjusted field observations is at least 1/10000, and that all of the requirements of P. A. 132 of 1970 have been complied with. There are encroachments as shown.

James A. Roy, PS #25869



REV: MARCH 16, 2006
DATE: JAN 16, 2006

ORDERED BY:
ROBERT LEVAND &
KEN CRIPS

AXIN LAND SURVEYS, INC.

900 E. 46 Road • Cadillac, MI 49601
231-645-8487 FAX: 231-876-1190

SEC. 33 , T22N , R9W

DRAWN BY JAR	SHEET 1 OF 1
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JOB NO. 050808

MAXIN-PROJECTS 2005\05BORO\05BORO.DWG

128 Pine St., zoned OS-2



Prepared By
Community Development
City of Cadillac
Cadillac, MI 49601
231-775-0181



024 8 1216

Feet

Date of Aerials
2021

CITY OF
CADILLAC
MICHIGAN

Note:
This is not a LAND or
BOUNDARY LINE SURVEY
and may not be used for the
construction of any improvements.

1. Erin Kennard

Updated at Sep 14, 2024

Are you in favor of 128 E Pine St continuing to operate as a vacation rental?

Yes

Please explain your reasoning below:

As someone who lives on the same block I have never once had an issue with anyone who has stayed at this Air BnB. They are not loud past decent hours, they don't leave a mess, they are considerate of the space they are paying to use. I watch them go into our little town and shop, eat and enjoy what we have to offer. I am 100% in favor of this address staying an Air Bnb. The building next door is a business, the house next door is a rental, the house across the street is a rental, the house kiddie corner is apartments.

As an employee of a downtown business the occupants of this address have been wonderful spending Their money in our town. First hand at Pizza Plus almost every weekend we have gotten over

The top orders that really have helped our business continue to move forward. Down town will not continue to flourish without tourism. It's all that keeps most businesses alive in town.

However, if this address was even one block farther east onto pine street I would understand not wanting to live next to an air bnb. As a resident of this town I understand that each air bnb in city limits should be decided based set criteria and an individual basis. This address in question is less than one full block from downtown and I feel it is an acceptable placement for a short term rental property. We need tourists to survive.

2. Amy Bizzigotti

Updated at Sep 11, 2024

Submission Date

Sep 11, 2024

Name

Amy Bizzigotti

Address

██████████ Cadillac, Mi, 49602

Are you a resident of Cadillac, Michigan

Yes

Are you in favor of 128 E Pine St continuing to operate as a vacation rental?

Yes

Please explain your reasoning below:

I own a small business in downtown Cadillac. During the height of the tourist season, we get many many people from downstate and all over the place vacationing here. I think it's great that there's an Airbnb that would accommodate one huge family or even 2 to 3 families that shared it. It's nice to be able to have a place where you can just walk out the door and walk to downtown Cadillac. It's good for Business. I don't think it's hurting anything. And I think we need more Airbnb's in the downtown Cadillac area so people can enjoy the lake the park the library the shops the restaurants. It's a win-win. Thank you.

3. Allen Garrow

Updated at Sep 10, 2024

Submission Date

Sep 10, 2024

Name

Allen Garrow

Address

██████████ Cadillac, Mi, 49601

Are you a resident of Cadillac, Michigan

Yes

Are you in favor of 128 E Pine St continuing to operate as a vacation rental?

Yes

Please explain your reasoning below:

That location is perfect for tourist! It has brought business to our bike shop and surrounding businesses as well.

Honestly you couldn't have a better place for it!

Mostly mom and pop shops around it. Big fence on the south side gives privacy to rental area... although the place is beautiful it shouldn't have a fence 🙄

Site Plan:

**MCCURDY
WOTILA
PORTEOUS PC**
Attorneys and Counselors

Michael A. Fighioneri
Nathan Piwowarski
Patrick A. Cherry
Alex S. Mallory

David L. Porteous
Cynthia K. Wotila
Patricia L. O'Dell

Of Counsel
Roger L. Wotila

Emeritus
David S. McCurdy
1949-2024

November 25, 2024

City of Cadillac
Attention: Danielle Timmer
200 N. Lake Street
Cadillac, MI 49601

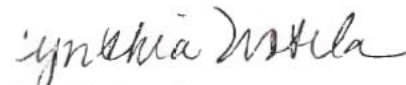
Re: Letters in Support of 128 E. Pine Street Zoning Application

Dear Danielle:

Enclosed please find letters in support of the Pine Street Zoning Application that was submitted to your office on November 22, 2024. Please include the letters with the submission for review by the Planning Commission.

If you have any questions, please do not hesitate to contact me.

Kind Regards,



Cynthia Wotila
Attorney at Law

CW/sam
Enclosures

Dear City Council,

My name is Shiana and I live across the street from 128 E Pine. I have lived here for the entirety of this property being run as a short term rental and am in support of it continuing to operate as a bnb. The owners have been consistent in operating it in a way that isn't disruptive to us as neighbors. The property lends itself well to being run as a vacation rental or venue and isn't built to be a viable option as a long term rental. I do not understand all the considerations you as the city council have to make for this property, but want to express my support in your decision either way. The owners of this property have created jobs and driven business to the shops and restaurants downtown through their property which I think is great for Cadillac. Please consider their request for a rezone so this beautiful property doesn't sit vacant and continues to be maintained well.

Sincerely,

Shiana Smalley



Cadillac, MI 49601

Planning Department and Cadillac City Council Members,

I am writing in support of Sarah and the rental they have on Pine street. Anyone who knows the place knows that it's absolutely beautiful and

in such a great location. When I was first made aware of the intentions for this home I was excited for them. I feel this home is hidden gem to the downtown scene. I honestly feel that the location not to mention the pure elegance of that place would be an amazing place for people to come visit Cadillac in class.

On a business note, that location would bring some attention to this end of town not only for us at Einstein Cycles but they would have access to Pizza plus, The Blue Heron, New Image, Apple Valley and Owl eye.

I feel this location needs to be here so it can showcase not just the home itself but the access to downtown, lake area and some really nice shops that sometimes get overlooked at this end of town.

We would all like to be a part of a visitor's story when asked how did you like time in Cadillac Michigan?

Warmest regards

Allen Garrow

Einstein Cycles

[REDACTED]

Cadillac, Mi 49601

To whom it may concern in the Planning Department & City Council,

I own a small business in downtown Cadillac. During the height of the tourist season, we get many many people from downstate and all over the place vacationing here. I think it's great that there's an Airbnb that would accommodate one huge family or even 2 to 3 families that shared it. It's nice to be able to have a place where you can just walk out the door and walk to downtown Cadillac. It's good for Business. I don't think it's hurting anything. And I think we need more Airbnb's in the downtown Cadillac area so people can enjoy the lake the park the library the shops the restaurants. It's a win-win. Thank you.

Best,

Amy Bizzigotti

[REDACTED]

Cadillac, Mi 49601

Dear Members of the Cadillac City Council and Cadillac planning commission,

I am sending this email on behalf of the owners of Orange Cadillac. The short term rental property located behind the Book Nook. I am the owner of Fill The Gap the service based company that employed 18 local women to clean and prepare the property for rentals.

The city's decision to not allow short term rentals in the city of Cadillac impacted my business as well as all of the women who work for Fill The Gap. This property employed 3-5 local women 2 to 3 days a week for 14 to 20 hours each turnover clean.

This was first property that gave me the opportunity to engage my team. An opportunity to prove ourselves five star Cleaners not only in Cadillac but Lake City, Reed City, Evart and Stanwood. On many occasions, I personally purchased gift baskets filled with gifts from local businesses. I heard from several businesses that guests had made purchases at their stores. Some of those included: Chunky Bear, Serendipity, Pizza Plus, Blue Heron, Toy Town, etc.

We served people from all over the country. People coming for funerals, family reunions, those celebrating wedding anniversaries, those gathering to celebrate life or death, family, members, and friends. I requested services from other local businesses to make specialty cakes. I arranged for skiing & snowmobiling. I made arrangements for service providers like electricians, HVAC, pool care, handymen, Cadillac Garage Door to care for this Particular property.

The owners communicated freely with our team to make sure everything was taken care of. When guests had any issues with we were there to help out and solve the problem quickly.

They communicated well with the guests and did their best to assure that they would follow the rules and guidelines that were set up by the property clearly written on the website, in the listing, and in the property. So many families from around the country enjoyed spending 3 to 7 days here. I'm asking you on behalf of all the women that I employed through Fill The Gap to please reconsider allowing Orange Cadillac to open up again as a short-term rental property. The owners truly do not want to sell it. They put so much effort and money into restoring this beautiful home to allow others to enjoy it.

Thank you for your reconsideration.

Connie Schepers

Fill The Gap Personal Assistant Services.

Dear Planning and Zoning Department and Cadillac City Council;

I do not know all of the things that you perhaps need to consider regarding short term rentals, but I have a couple of thoughts regarding the Pine St. property beside the Book Nook.

It is an expensive house and an attractive part of the neighborhood. As a short term rental the owners have a huge incentive to maintain the property at a very high level of quality, which all of us will appreciate and benefit from. I also predict the clientele that it attracts will be downtown shoppers and diners.

Its location literally is next door to a commercial property and in a neighborhood where the other rental property is maintained at a much lower standard. It seems the use that the owners want to put it to will be the most likely way for that house to be a stable influence on the real estate nearby for the long run. That might encourage other people to invest on the street because they will have reason to believe that 128 E Pine will be well taken care of for a long time.

Sincerely Brian Williams

Blue Heron Cafe

[REDACTED]

Dear Planning and Zoning Department and Cadillac City Council,

As someone who lives on the same block I have never once had an issue with anyone who has stayed at this Air BnB. They are not loud past decent hours, they don't leave a mess, they are considerate of the space they are paying to use. I watch them go into our little town and shop, eat and enjoy what we have to offer. I am 100% in favor of this address staying an Air Bnb. The building next door is a business, the house next door is a rental, the house across the street is a rental, the house kiddie corner is apartments.

As an employee of a downtown business the occupants and guests of this address have been wonderful spending their money in our town. First hand at Pizza Plus almost every weekend we have gotten over the top orders that really have helped our business continue to move forward. Downtown will not continue to flourish without tourism. It's all that keeps most businesses alive in town.

However, if this address was even one block farther east onto pine street I would understand not wanting to live next to an air bnb. As a resident of this town I understand that each air bnb in city limits should be decided based set criteria and an individual basis. This address in question is less than one full block from downtown and I feel it is an acceptable placement for a short term rental property. We need tourists to survive.

Sincerely,

Erin Kennard

[REDACTED]

Cadillac, Mi 49601

December 2, 2024

Members of the Cadillac Planning Commission and Cadillac City Council,

On behalf of the Cadillac Downtown Development Authority (DDA), we wish to express our unanimous support for the rezoning of 128 E Pine Street, Cadillac, Michigan, from its current Office Service (OS) designation to a Business District designation. This rezoning is primarily to facilitate the operation of a short-term rental (STR) business at this location.

The property at 128 E Pine is distinctive and does not conform to the typical characteristics of residential homes in the area. Located directly adjacent to an established commercial business to the west and within the DDA district, the size, style, and amenities of this property suggest that it is better suited for the proposed use than for a single-family home or any other alternate use permitted by right within the OS district. While we are mindful of the community's housing needs, it is important to note that this property will never be suitable as workforce or affordable housing.

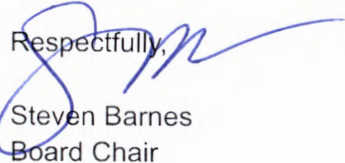
Before the City Council adopted the current STR ordinance, 128 E Pine operated successfully as a short-term rental. During that time, many local businesses within the DDA experienced positive economic impacts from the visitors who stayed at this property. Tourists who rented this property typically had significant disposable income, contributing to the vitality of downtown Cadillac by shopping at local stores, dining at our independently owned restaurants, and enjoying our entertainment venues.

As you know, Cadillac currently lacks hotel or lodging options within the downtown corridor. For several years, the DDA has discussed the need for additional lodging options to support our small businesses, rather than relying solely on larger, nationally based chains in the surrounding townships. While we envision expanding lodging options beyond this one property, we believe that this rezoning represents a positive first step in addressing this gap.

The DDA is committed to transforming the downtown corridor into a vibrant shopping, dining, and entertainment destination. The operation of 128 E Pine as a short-term rental aligns with this vision and will enhance the experience of visitors to Cadillac, while also generating additional revenue for local businesses.

For all these reasons, the DDA board strongly encourages the approval of the rezoning request for 128 E Pine Street. We are confident that this is the best course of action for our community.

Respectfully,



Steven Barnes
Board Chair

Cadillac Downtown Development Authority

December 13, 2024

Community Development Department
200 North Lake Street
Cadillac, MI 49601

Dear Planning and Zoning Department and City Council Members:

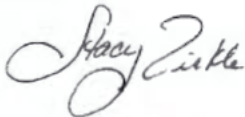
I'm writing about the rezoning hearing for the property at 128 E Pine Street. As someone living close by, I want to throw my full support behind this rezoning. I really think this property is a perfect match for the proposed use and will bring great benefits to our community.

I walk and drive by this place quite often, and it's been awesome to see it buzzing with life. Its location, vibe, and size really fit for the proposed use, and I don't see it causing any problems for the neighborhood. Honestly, it's been a good neighbor—no noise or issues on my end!

This rezoning can boost the property's success and help our local businesses, restaurants, and tourism thrive. It just makes sense for the community!

Thanks for considering my thoughts! I truly hope you'll support this rezoning effort.

Sincerely,



Stacy Zirkle

[REDACTED]
[REDACTED]
[REDACTED]



Community Development Department

PLANNING COMMISSION

REZONING REPORT

December 17, 2024

Owner/Applicant

Matthew McCall-Stillman
113 Devillen Avenue
Royal Oak, MI 48073

Applicant Representative: Cynthia Wotila

Application for the Rezoning of Property

The applicant has filed a request for the rezoning of the following described property (subject site) from OS-2 to the B-2 Central Business District.

Parcel 86-159: The north ½ of Lots 7 and 8, Block 4, and the west 3.40 feet of the North ½ of Lot 9, Block 4, Mitchell's Revised Plat of Clam Lake (Now the City of Cadillac), Section 33, T22N, R9W, City of Cadillac, Wexford County, Michigan.

The tax identification number is 10-086-00-159-02. The common address is 128 E. Pine Street and consists of .23 acres. The property is immediately adjacent to the Book Nook on the east side. The present use of the property is vacant/for sale and the proposed use is short-term rental.

The applicant is requesting the property be rezoned to B-2 to allow short-term rentals at the location. The property was purchased for use as a vacation rental before the City had a short-term rental ordinance in place. This property is uniquely suited for this use as it has high quality finishes and amenities for entertainment, including a home theater room and outdoor living space with a pool and hot tub. The neighboring parcels include one residence, the Book Nook (a commercial property zoned B-2), and a parking lot. It is one block away from Mitchell Street, the main commercial corridor in the City.

The applicant submits the proposed rezoning is consistent with the purpose and intent of the City of Cadillac's Zoning Ordinance and Master Plan for the following reasons:

1. The City recently adopted a Short-Term Rental ordinance which recognizes the desirability of allowing such uses in limited areas, including the B-2 zone. The property currently borders on the B-2 district and is a natural extension of that boundary.

2. The Master Plan objectives include "promoting the conversion of single family dwellings into business uses" and building "a strong and energetic downtown that is pedestrian oriented and comprises a range of business uses."
3. The DDA objectives include promoting the economic development and maintaining and improving property values within the district.
4. The property has been improved beyond the standard finishes for housing in the neighborhood. The amenities make it particularly suitable for use as a short-term rental. The yard is surrounded by a high, solid wood fence to reduce noise, the game room is located in the lower level for further noise reduction. There is ample parking in the attached garage and in the extensive driveways.
5. The rental rate for this property is five times the market average for the area and, therefore, allowing a short-term rental use will not negatively impact affordable housing in the area. It has been on the market for several months with no interest from potential buyers as a full-time residence.
7. The rezoning request conforms with the Zoning Ordinance considerations for such amendments in that:
 - a. It is consistent with the Master Plan Zoning objectives noted above.
 - b. It is consistent with adjacent property uses.
 - c. Rezoning this property will increase property values and bring tourists and visitors to the downtown district.
 - d. As an operating rental, the owners employed six cleaning staff and two handymen for maintenance and repairs. Additionally, regular contractors for pool service, snow plowing, yard service and delivery are also employed.

In addition to this narrative, there are attached letters of support from local residents and business owners to indicate the local support for this rezoning. Letters of support are included from:

City of Cadillac Downtown Development Authority
Erin Kennard
Amy Bizzigotti
Allen Garrow (Einstein Cycles)
Shiana Smalley
Connie Schepers (Fill The Gap Personal Assistant Services)
Brian Williams (Blue Heron Café)

Site and Area Character and Zoning

The site contains a single-family home and is located on a block which consists of both commercial and single-family properties (see existing land use map below)



128 E. Pine Street

Existing Land Uses

Land Uses



Subject site for rezoning in red.

The proposed site of the rezoning has commercial or multi-unit residential apartments uses on all side of the property (see graphic above). Out of the entire block you have five commercial buildings, three multi-unit apartment buildings, and two single-family homes.



Duplex unit to the East



Book Nook Retail Shop to the West



4-unit residential apartments to the North



Public Parking Lot to the Northwest of the Site



Current Zoning Districts

The current zoning districts in the area are B-2, OS-2, and RM-1 (see aerial map above). The B-2 district includes one of the two-unit houses on the block. If the subject site is rezoned from OS-2 to B-2 the site will be connected to another B-2 district. The block to the south has the B-2 district extending from Mitchell Street to Shelby.

Staff Analysis

The house at 128 E. Pine Street has been improved beyond the standard quality of housing in this neighborhood (see photo on next page). The house has a built-in swimming pool/deck and fountains on the property. The inside of the home also has many upgrades over a standard house in this neighborhood.



The high quality and amenities found in this home make it particularly suitable to be used as a short-term rental. The house is not well suited to be converted to an apartment building. Although this rezoning would have this property be in a commercial district the existing development on the site and the proposed uses are residential in nature which would limit conflicts with the adjoining residential properties.

Due to the already developed nature of this property the impact of this rezoning will likely be minimal. The zoning district that the property is in currently does allow for a mixture of single-family homes, offices, and personal services. It even allows for multiple-family housing by special use permit. The need for the rezoning resulted from the fact that the OS-2 zoning district did not permit short-term rental units.

Given that downtown Cadillac does not have a hotel, and few if any short-term rental units, short-term rentals are really the only opportunity for tourists to experience the downtown, and they can do so without the need to be driving. For this reason creating more short-term rentals in and near the downtown is a positive thing. I also believe that people staying here on vacation would likely be spending more money per capita than the year-round residents which would be good for downtown businesses.

Rezoning Process

The rezoning of property involves a basic two-step process. Step 1 includes a review, analysis, and recommendation of the request by the Planning Commission. A public hearing is conducted as part of the Step 1. Notice of the public hearing is posted in the Cadillac News and all property owners and residents within 300 feet of the subject site are sent a copy of the hearing notice by first class mail. Property owners and others are given the opportunity to attend the hearing and comment on the application if so desired. The posting and mailings are made at least 15 days prior to the hearing. The posting and mailings also advise the public that anyone wishing to do so may forward written comments regarding the rezoning request to the city to be entered into the public hearing record. Public comments may provide information helpful to the Commission

as they consider a rezoning application. In taking into account public comments the Commission looks for information that is factual and relevant to the request at hand.

Following the public hearing and after adequate deliberation and review of the application and all materials and information, the Planning Commission recommends to the Cadillac City Council approval or denial of the application. The recommendation must include the basis for the Commission's decision.

Step 2 includes a review, analysis, and final decision on the application by the City Council. The Council may affirm or deny the rezoning. Should they wish to do so, the Council may return the application to the Planning Commission for additional analysis and input before issuing a final decision. The Council's decision is final and not subject to appeal to the Cadillac Zoning Board of Appeals.

Rezoning Considerations

When examining a rezoning application the Planning Commission considers the following factors (questions):

- 1) Is the proposed classification compatible with surrounding land uses and zone district classifications?
- 2) Is the proposed rezoning consistent with the City Master Plan? If not or if questionable, does the request represent an appropriate use of the land based on changes and/or other factors that have occurred subsequent to adoption of the plan?
- 3) Are existing public facilities and services capable of accommodating the land uses permitted by the proposed classification?
- 4) Is the proposed classification equal to or more appropriate than the existing zone district classification?
- 5) Does the request meet the criteria required by the zoning ordinance for the intended use?

In addition to the above, the Board may consider other relevant factors.

To assist the Planning Commission, staff reviewed this request relative to the above rezoning considerations. Preliminary findings and opinions are noted below.

- 1) *Is the proposed classification compatible with surrounding land uses and zone district classifications?*

Yes the proposed zoning district is compatible with the surround land uses and zone district classifications. The property immediately adjacent to the site and the property along Mitchell Street has a B-2 zoning classification. The block to the south of the subject block also has B-2 zoning extending from Mitchell Street to Shelby Street.

- 2) *Is the proposed rezoning consistent with the City Master Plan? If not or if questionable, does the request represent an appropriate use of the land based on changes and/or other factors that have occurred subsequent to adoption of the plan?*

Yes the proposed rezoning is consistent with the Master Plan. The Master Plan designates this parcel for Office-Service. The Master Plan describes this district as being a transition area between downtown and residential areas meant for quieter commercial uses that are compatible with residential areas.

- 3) *Are the existing public facilities and services capable of accommodating the land uses permitted by the proposed classification?*

Yes, the public facilities and services are capable of supporting the uses permitted by the proposed rezoning.

- 4) *Is the proposed classification equal to, or more appropriate than, the existing zone district classification?*

Yes the proposed classification is equal to, or more appropriate than the existing zone district classification.

- 5) *Does the request meet the criteria required by the zoning ordinance for the intended use?*

Yes, the request does meet the criteria required by the zoning ordinance for the B-2 District. Actually, because the current development does not meet the zoning requirements of the OS-2 district, this rezoning will actually be removing a dimensional non-conformity.

Staff Observations/Recommendations

I find this rezoning application to place this property into the B-2 District to be equal to or better than its current designation as OS-2. The fact that the site is fully developed with a residential structure and supporting accessory uses will limit its use for the full range of activities that may be permissible in the B-2 District. I believe the proposed use as a short-term rental will be beneficial to the downtown. The City of Cadillac Downtown Development Authority has written a letter of support for this rezoning. Maintaining it as a short-term rental will also help ensure the proper maintenance of the property as it is common for renters to rate the facility online. Given the analysis contained in this report I recommend that the Planning Commission recommend to the City Council that this property at 128 E. Pine Street (parcel number 10-086-00-159-02) be rezoned from the OS-2 Office Service District to the B-2 Central Business District.

Public Hearing Comments

As noted earlier, the application is subject to a public hearing. The Planning Commission shall consider all written and verbal comments to determine the relevancy of the information to the rezoning application.

Several letters of support have been submitted along with this application which are included in your packet. As of the writing of this report no additional letters have been submitted. If we receive additional letters staff will either forward them to you by email, or if they are received toward the end of the deadline they will be placed on your desk for the meeting.

Planning Commission Action

The Planning Commission shall recommend to the Cadillac City Council approval or denial of the rezoning application. The recommendation must be supported by the findings of fact (the record prepared by the Planning Commission such as the staff report, review of public comments, and other factual information applicable to the application).



Planning Commission
December 23, 2024, Meeting Minutes DRAFT

Call to Order

Meeting was called to order at 6:00PM

Roll Call

Planning Commission members present: Rice, Van Pelt, Bunce, Filkins, Putvin, Bosscher, Fent and Host

Staff: Wallace, Timmer & Genovich with Foster Swift

Approval of Agenda for December 23, 2024

- A. Motion to approve the agenda by Filkins, supported by Fent.
 - a. Motion approved unanimously.

Approval of for November 25, 2024, Meeting Minutes

- A. Motion to approve the minutes by Rice, supported by Host.
 - a. Motion approved unanimously.

Public Hearings

- A. Application filed by Brian Goodman to allow for the outdoor display & sales of wood & steel structures at 1125 & 1129 N Mitchell St.
 - a. Timmer presented on the proposed Special Land Use. Timmer gave a description of the properties and their location. Timmer also stated that Goodman owns two other design centers, Cadillac would make the third location.
 - b. The applicant, Brian Goodman, addressed the board. Goodman thanked the board for their time. Goodman stated that he is excited to bring this center to Cadillac and is currently moving his whole family to the area. Goodman stated that currently he will be the only staff member at this location, with hopes to hire more employees later on. Goodman informed the board on the design center practices and how he plans to run the design center in Cadillac. Goodman stated that if the approval of Special Land Use takes place, he will be purchasing the property.
 - c. Putvin opened the public hearing
 - i. Chad Allen, current property owner of 1125 & 1129 N Mitchell St, voiced his support of the special land use. Allen stated that he agreed with the nice buffer the sheds will give the property.
 - ii. Putvin closed the public hearing.
 - iii. Board discussion took place.
 - 1. Fent voiced his support. Fent stated that he believes this addition will make the area look much nicer.
 - 2. Bosscher stated that he feels that this is a much better location and situation than the last Special Land Use that was issued for similar service and revoked.

- a. Motion by Bosscher to approve the special land use permit for Just Wood & Steel Sales & Design Center at 1125 & 1129 N Mitchell St and the proposed site plan as presented subject to compliance with final site plan review. Supported by Rice.
 - i. Motion approved unanimously.
- B. Application filed by Morgan Babcock to allow for the short-term rental of a residential unit within the building at 108 S Mitchell St.
 - a. Wallace presented on the proposed Special Land Use.
 - b. The applicants, Daniel & Morgan Babcock, addressed the board. Daniel stated that he was born and raised in Cadillac, moved away after graduating and is looking forward to moving back to Cadillac soon. Morgan stated that the unit would be on the second and third floors. Putvin asked if the Babcock's planned on living on site. Morgan stated that they will be living there until the unit is ready to be rented out but will be living locally upon completion. Morgan stated that a property manager will be assigned to the property with a 10-minute turnaround time for any issues that may arise. Van Pelt asked Morgan about the posting and selection of renters. Morgan stated that the rental posting sites screen the renters and that she will be doing so as well. Rice asked about how a noise complaint would be handled. Morgan stated that there will be decibel readers installed in the unit that will notify the owner and property manager, and a response will take place to notify the renters to keep it down.
 - c. Putvin opened the public hearing
 - i. Linda Durant voiced her support for short-term rentals. Durant stated that she hopes that the board approves this use as our town needs it.
 - d. Putvin closed the public hearing
 - e. Board discussion took place.
 - i. Bosscher asked staff what is set in place to handle enforcement. Wallace stated that the approval process of this application is enforceable by the Special Land Use permit. Wallace recommended that the board include in their motion any specific details that the board would like to see for this use. Enforcement action will be at staff level with the option for revocation at the Planning Commission level. Bunce stated that the rental sites have a wide range of standards, and the applicants have provided a great list of standards. Genovich stated that the natural of a Special Land Use is that you adjust the standards for the specific property. Genovich stated that if there were a set of standards for such use it typically wouldn't require a Special Land Use, it would be a use allowed by right. Board discussion took place on the standards that need to be addressed.
 1. Motion by Bosscher to approve the Special Land Use for 108 S Mitchell St to allow for a Short-Term rental with the following conditions.
 - House rules provided by the applicant be a part of this motion.
 - Contact information for the property owners and property manager be supplied in the house rules as well as to staff and law enforcement.
 - An annual review will take place with staff and/or the Planning Commission to confirm compliance with the Special Land Use Conditions. The Planning Commission may add conditions at the annual review to mitigate any issues over the past year.
 - i. Motion supported by Filkins. Motion approved unanimously.

- C. Application filed by Cynthia Wotila on behalf of the owner of the property, Matthew McCall-Stilman, requesting the property, 128 E Pine St, be rezoned from OS-2 to B-2.
- a. Wallace presented on the proposed rezoning
 - b. The applicant, Cindy Wotila, addressed the board. Wotila gave a brief history of the property. Wotila supplied the board and staff with an additional letter of support.
 - c. Sarah Glidewell, one of the property owners, addressed the board. Glidewell stated that she was unaware that the rezoning was not approved. She stated that her business partner, Matthew McCall-Stilman, is the one on the taxes therefore all communication was sent to him and got lost in the mail due to him moving. Glidewell stated that she is very communicative and has been in contact with neighbors and downtown businesses to receive feedback. Glidewell stated that the options for this home that make the most sense to her are not doable in OS-2, B-2 would be more appropriate.
 - d. Putvin opened the public hearing
 - i. Linda Durant voiced her support of rezoning due to the lack of opportunities for the home within the current zoning district.
 - ii. Ethan Glidewell voiced his support for the rezoning and that this house could be used as a short-term rental or a museum. Glidewell stated that the property is truly a piece of art and invited the board to take a tour if they have not already done so.
 - e. Putvin closed public hearing
 - f. Board discussion took place.
 - i. Rice asked for reasoning of the past council denial. Wallace stated that his recollection was that they did not want to treat this as a one off. Wotila shared from the council meeting minutes that the motion stated the denial was due to the future revamping of the zoning ordinance. Wotila also stated that the minutes do not reflect that there was a vote taken, only that the motion was made and supported. Glidewell stated that she also remembered the council saying that they would like to know how the neighbors felt about this use. Glidewell stated that this is why she has put so much work into getting the neighbors and downtown businesses' opinion on the proposed use.
 - ii. Filkins asked Wallace about overlays, spot zoning etc, should this topic arise. Wallace stated that he would disagree with spot zoning due to the surrounding properties being zoned as such.
 - iii. Bosscher asked staff for clarification on the past operations and enforcement action for this property. Genovich summarized the background on the property. Genovich stated that this information does not preclude rezoning. Rezoning should relate to whether this proposed rezoning is consistent with the city's future land use plans and not for the particular use or prior enforcement action.
 - iv. Host voiced her support of the rezoning given the surrounding properties zoning and the characteristics the property has to offer.
 - g. Motion by Fent to approve and recommend that Council approve the rezoning of 128 E Pine St from OS-2 to B-2 based on the staff recommendation and public support. Supported by Bunce.
 - i. Motion unanimously approved.

Adjourn at 7:55pm