

City of St. Joseph



2008

Comprehensive Master Plan



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City of St. Joseph, Michigan

COMPREHENSIVE MASTER PLAN

2008

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The City of St. Joseph Planning Commission
at a meeting on December 6, 2007

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TABLE OF CONTENTS

Introduction

Authority to Plan.....	1
Plan Organization	1
Public Participation Process	1
Planning Process.....	2

Physical Features

Location.....	4
Climate	6
Soils	7
Topography and Natural Features	8
Environmental Contamination	8
Floodplain.....	9
Sensitive Areas.....	9

Socio-Economic Profile

Population	12
Age Distribution and Sex.....	14
Racial Makeup and Disability Status.....	16
Households	16
Historic Preservation	17
Housing Tenure and Occupancy.....	18
Types of Housing	21
Age of Structure	22
Housing Values	24
Households	27
Income and Wealth.....	28
Poverty	29
Economy.....	30
Employment	31
Taxation.....	36
Education	38
Projection of Future Enrollment	39
City Hall, Police and Fire Protection.....	42
Water.....	42
Wastewater	44
Electricity.....	45
Natural Gas	45
Transportation and Average Daily Traffic Trends.....	45
Transportation and the National Functional Classification.....	46
Lakeland HealthCare	48
Maud Preston Palenske Memorial Library	50
Churches.....	51
Recreational Facilities.....	52
Marinas.....	53



TABLE OF CONTENTS

Existing Land Use

Introduction	54
Preparation of the Map	54
Land Use Analysis	54
Single-Family Residential	54
Multi-Family Residential	54
Commercial	55
Industrial	55
Institutional	55
Vacant	55
Bodies of Water	56

Public Participation

Introduction	58
2006 Citizen Survey	58
Summary of Survey Demographics	58
Summary of Tabulated Survey Results	59
Quality of Life	59
Cultural Opportunities	60
Recreational Opportunities	61
Income and Wealth	62
Planning for the Future	62
Civil Services	64
Other	64
Summary of Priorities	66
Key Personnel Workshops	67
Citizen Survey	72

Goals and Objectives

Introduction	80
General	80
Land Use – Economic Development and Commercial Areas	81
Land Use – Residential	85
Land Use – Parks and Recreation	86
St. Joseph River Frontage	87
Infrastructure	87
Financial Considerations	88



TABLE OF CONTENTS

Future Land Use

Introduction	90
Preparation of the Map	91
Single-Family Residential	91
Multi-Family Residential	92
Commercial	92
Industrial	92
Institutional.....	93
Water Recreational District.....	93
Open Space	93

Plan Implementation

Introduction	95
Zoning Ordinance	95
Design Guidelines.....	96
Neighborhood Preservation	96
Historic Preservation	97
Downtown Development	97
Commercial Entry Corridors	97
Federal and State Grant Programs.....	98
Capital Improvements Program	98
Plan Education	98
Plan Updates.....	98

Attachments

City Commission Meeting Minutes (February 26, 2007)	
Planning Commission Meeting Minutes (September 6, 2007)	
Planning Commission Meeting Minutes (October 4, 2007)	
Planning Commission Meeting Minutes (November 1, 2007)	
Planning Commission Meeting Minutes (December 6, 2007)	
City Commission Meeting Minutes (January 7, 2008)	

LIST OF TABLES

1.	Average Monthly Climate.....	6
2.	Population Trends	12
3.	Regional Population Comparison.....	14
4.	Population Density.....	14
5.	Age Distribution.....	15
6.	Racial Makeup.....	16
7.	Housing Tenure.....	19
8.	Housing Occupancy.....	20
9.	Housing Units and Vacancy Rates.....	20
10.	Types of Housing Units.....	22
11.	Age of Housing.....	23
12.	Housing Values.....	25
13.	Household Types.....	27
14.	Income Levels.....	29
15.	Poverty Status.....	30
16.	Employment Status.....	31
17.	Rates of Employment.....	32
18.	Employment by Selected Occupation.....	33
19.	Employment by Selected Industry.....	34
20.	Principal Employers.....	35
21.	Educational Attainment.....	39
22.	Most Likely Five-Year Forecast by Grade.....	40
23.	Churches.....	51
24.	Recreational Facilities.....	52
25.	Marinas.....	53
26.	Existing Land Use.....	56
27.	Key Funding Sources.....	99



LIST OF MAPS

List of Maps

1. Regional Location Map.....	5
2. Area Travel Times	6
3. Floodplain and Wetland Map.....	11
4. Transportation and Traffic Counts.....	47
5. Existing Land Use Map	57
6. Future Land Use Map	94





Introduction

Authority to Plan

The City of St. Joseph Planning Commission has prepared this Comprehensive Master Plan (Plan) under the authority of the Municipal Planning Act, Public Act 285 of 1931, as amended. The City of St. Joseph first adopted a Comprehensive Master Plan in 1976. An update to that Plan took place in 1993. State statute recommends that the Comprehensive Master Plan address the future from five to twenty or more years. In addition, under 125.38a, Sec. 8a, subsection (2) of PA 285 of 1931, as amended,

“At least every 5 years after adoption of the Plan, the planning commission shall review the Plan and determine whether to commence the procedure to amend the Plan or adopt a new Plan.”

The purpose of this Plan is to provide for one complete, cohesive document, identifying the City of St. Joseph's existing conditions and trends in land use, demographics, socio-economics, short-term and long-term goals and objectives.

The City of St. Joseph Comprehensive Master Plan is intended to provide guidelines for future physical development of the community, while protecting the City's resources. The Plan also provides a complete inventory of existing conditions and characteristics within and beyond the city limits, as needed. The Plan provides a comparison of the City to other area jurisdictions with similar

interests and goals. Additionally, the Plan incorporates community priorities as identified throughout the public presentation process, input from community stakeholders, and the views and visions of the Planning Commission members. Next, a series of goals and objectives are presented and a proposal for future land usage. The Plan concludes with a capital improvements program and list of potential funding sources.

Plan Organization

The Comprehensive Master Plan is structured as follows: The first one-third of the Plan is an inventory and analysis of existing conditions, trends and projections within the City of St. Joseph, compared to Berrien County, the State of Michigan and other areas, as relevant. The middle section of the Plan identifies goals and objectives, and strategies for future action. In addition, a vision for future land usage is incorporated into the Plan. The final one-third of the Plan provides a more in-depth analysis of goals and objectives, a strategy for accomplishment and a list of potential funding sources to aid the city in upcoming years.

Public Participation Process

The Comprehensive Master Plan was formulated through a process of active participation from the citizens of St. Joseph.



Introduction

A comprehensive Public Survey was distributed to all registered voters within the City. An overwhelming response of over 20% was received. A copy of the survey and a summary of results are included.

In addition, a series of meetings and workshops were held. A kick-off meeting, presenting the upcoming process to update the Plan was presented to the City of St. Joseph City Commission on January 23, 2006. The first meeting with the Planning Commission was conducted on March 2, 2006. Regular meetings followed throughout the entire process.

Numerous meetings with City Staff were attended throughout the process. In addition, a series of community stakeholder meetings were hosted to further gather input on the current condition of the City as well as the desired future direction.

Planning Process

The Inventory and Analysis of Existing Conditions were presented at the regularly scheduled Planning Commission meeting on October 5, 2006. Goals and Objectives, and Future Land Usage were presented on December 7, 2006. A final draft presentation was conducted on May 3, 2007, which included the proposed, basic capital improvements program and a list of potential funding sources. The completed draft Plan was, then, forwarded on to the City of St. Joseph City Commission for review and comment and returned to the Planning Commission for final consideration.

During the September 6, 2007 Planning Commission public hearing, there was a particular focus on the status of nonconforming businesses and on the Lakeshore Drive corridor, and consideration of the Plan was tabled. Language addressing the issue of non-conforming uses was added to the draft plan and the plan was adopted by the Planning Commission during a resumed public hearing on October 4, 2007 and sent to the City Commission for approval. Prior to approval by the City Commission, the Planning Commission learned that some data used in the approval process had inadvertently been mischaracterized, and the Planning Commission asked that the City Commission return the document to the Planning Commission for reconsideration. The Planning Commission held a public hearing on December 6, 2007, changed the designation of several parcels on the Future Land Use Map in light of the corrected information, and adopted the Plan with the amended map. The City Commission considered and approved the Plan at its meeting of January 7, 2008.



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Physical Features

Location

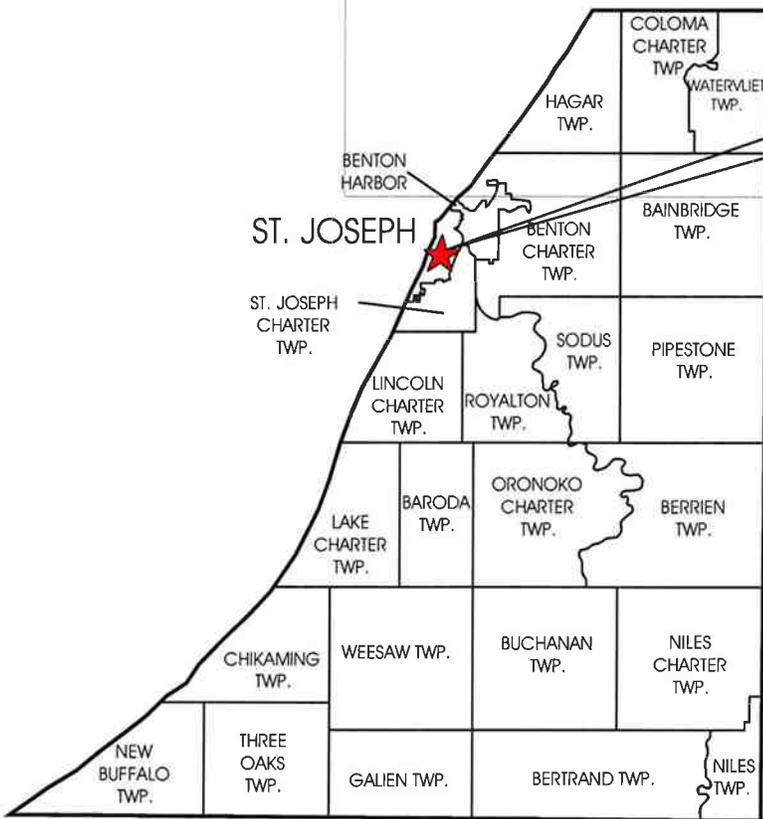
The City of St. Joseph is located in the southwestern region of the State of Michigan, within Berrien County. (**Map 1**) St. Joseph is the County seat. Located off of Interstate 94, the City is approximately 50 miles west of Kalamazoo, 80 miles south of Grand Rapids, 30 miles north of the Indiana state line, and 90 miles from the greater Chicago area. Berrien County is located in the Chicago-Detroit industrial corridor. **Map 2** illustrates the travel times from the City of St. Joseph to the surrounding areas.

The City of St. Joseph has been the County Seat of Berrien County since 1894. Berrien County is the southwestern-most county of the State of Michigan. Recent population counts and development activities have elevated the overall density of Berrien County and, therefore, the county has been designated a Metropolitan Statistical Area (MSA), known as the Niles-Benton Harbor, MI MSA.

Key to all future planning attempts is the acknowledgement of the great value in natural resources that exists in the waterfronts of St. Joseph. St. Joseph has an abundance of fresh water resources. Lake Michigan spans the entire western city limit line. The bulk of the eastern city limit line is bounded by the St. Joseph River. The river also bisects the northern portion of the City. The Paw Paw River along the northeast, the City of Benton Harbor to the north, and St. Joseph Charter Township bound the remainder of the City to the south. Because large

portions of the areas bounding the City are water features a city and a charter township, the City of St. Joseph has limited opportunities to expand its boundaries. However, numerous sites are located within the city limits that may benefit from redevelopment.



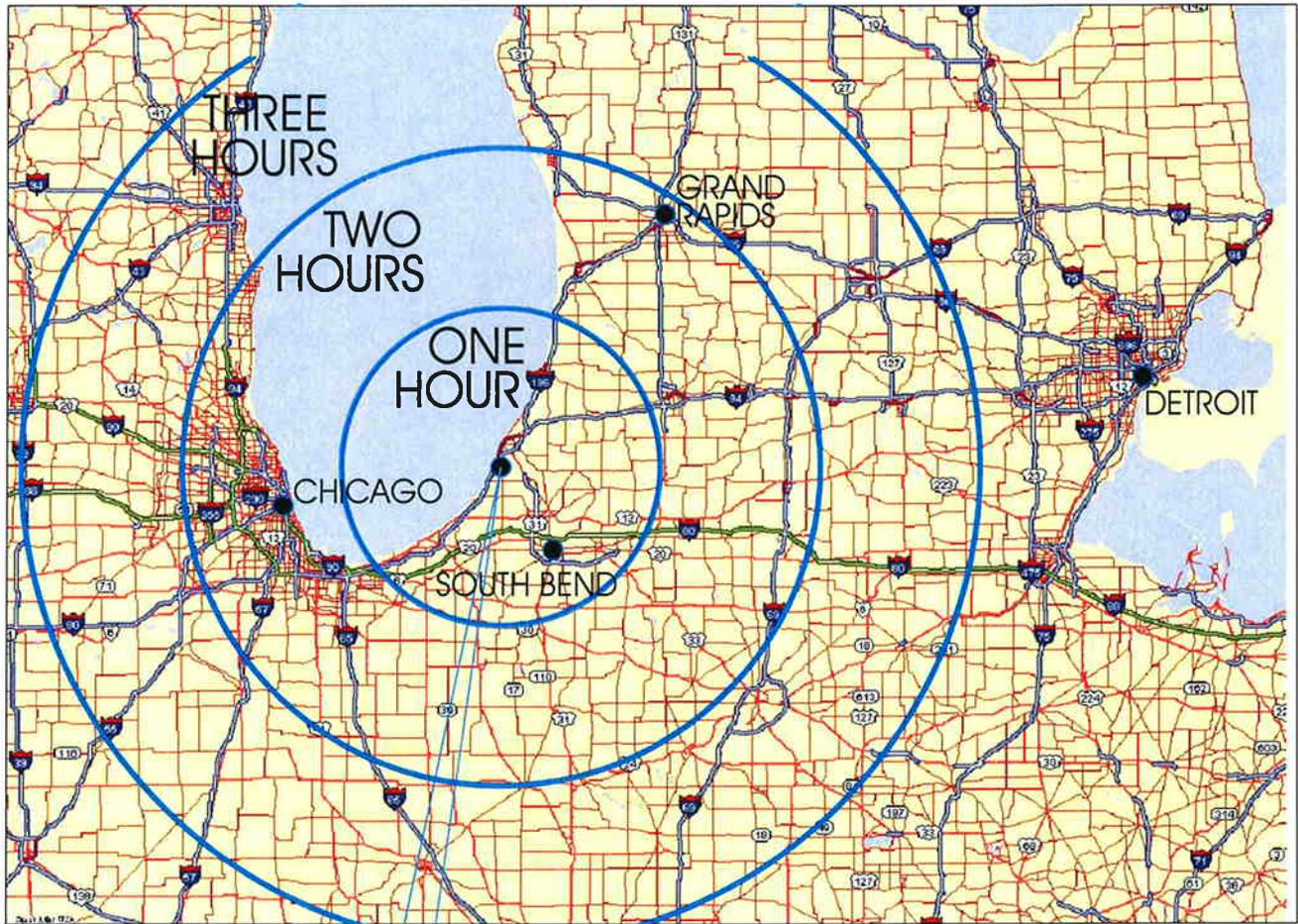


REGIONAL LOCATION MAP
CITY OF ST. JOSEPH, MICHIGAN



NORTH

MAP 1



AREA TRAVEL TIMES

CITY OF ST. JOSEPH, MICHIGAN



Physical Features

Climate

Table 1 shows average readings in Berrien County, spanning a thirty-year period. The readings indicate July as the hottest month with an average daily temperature of 82.6 degrees Fahrenheit (°F), and January the coldest with an average of 32.1 degrees. September receives the most precipitation at 4.17 inches, with a total of 36.59 inches of rainfall each year.

Total snowfall per year is 71.9 inches, with the greatest month accumulation of 23.9 inches being in January.

“The prevailing wind is from the south-southwest. Average wind speed is highest, 12.4 miles per hour, in March from the north-northwest. Every one year in 10, the last freeze occurs later than May 15 and the first freeze occurs earlier than October 5 (USDA).”¹

Table 1
Average Monthly Climate, 1971 to 2000

Month	Average Daily Max. Temp (°F)	Average Daily Min. Temp (°F)	Average Precipitation (inches)	Average Total Snow Fall (inches)
January	32.1	17.6	2.04	23.9
February	36	19.7	1.72	17.2
March	46.5	27.5	2.4	6.3
April	57.6	36.5	3.67	0.9
May	69.3	46.3	3.33	0
June	78.6	56.1	3.47	0
July	82.6	60.9	3.25	0
August	80.6	58.8	3.54	0
September	73.9	51.5	4.17	0
October	62.7	41.7	3.09	0.4
November	48.7	32.4	3.27	3.4
December	36.6	22.6	2.64	19.8

Source: United States Department of Agriculture



Physical Features

Soils

Berrien County consists of eight major soil associations. Of these eight associations two are dominant in St. Joseph: Blount-Rimer Association and Shoals-Cohoctah-Abscota Association. The percentage of each of these two associations that are located within the City is not readily available since the soil survey is a countywide survey. The following descriptions are from the Soil Survey of Berrien County, Michigan:

Blount-Rimer Association

This association makes up 18% of the county. It is about 40% Blount soils, 20% Rimer soils, and 40% of minor extent.

Blount soils are nearly level or gently sloping and somewhat poorly drained. The surface layer typically is dark grayish brown loam about 9 inches thick. The mottled subsoil is about 25 inches thick. The upper part is yellowish brown, firm silty clay loam; the lower part is dark yellowish brown, firm clay. The underlying material is yellowish brown, mottled clay loam to a depth of about 60 inches.

Rimer soils are nearly level or gently sloping and somewhat poorly drained. The surface layer typically is very dark grayish brown loamy fine sand about 9 inches thick. The mottled subsurface layer, about 23 inches thick, is pale brown and yellowish brown, loamy fine sand or fine sand. The subsoil, about 9 inches thick, is gray, firm clay. The underlying material is yellowish brown, mottled clay to a depth of about 60 inches.

Most of the soils in this association have been cleared and drained. They are used for cultivated crops that are common in the county and for hay and pasture. Orchards and vineyards are common. There are some swampy, undrained areas. Wetness and restricted permeability are the main limitations. If adequately drained, the soils in this association are well suited to cultivated farm crops. They are also well suited to hay, pasture and woodlands. These soils are poorly suited to building site development and septic tank absorption fields. A high water table is the main limitation. However, this limitation can be overcome through the proper planning and design for each individual development. Also, limitations for septic tanks are not an issue since all City properties have access to the municipal sewer system.

Shoal-Cohoctah-Abscota Association

This association makes up 2% of the county. It is about 30% Shoals soils, 30% Cohoctah soils, 25% Abscota soils and 15% soils of minor extent.

Areas of these soils are on bottomlands, floodplains, or terraces along rivers and streams. The Cohoctah soils are on lower elevations than the Shoals and Abscota soils. The Abscota soils are on higher elevations than the Shoals and Cohoctah soils. All of these soils are subject to flooding.

Shoals soils are nearly level and somewhat poorly drained. The surface layer is dark grayish brown silt loam about 9 inches thick. The underlying material is multicolored, stratified silt



Physical Features

loam, loamy fine sand, fine sandy loam, and loamy fine sand to a depth of about 60 inches.

Cohoctah soils are nearly level and poorly drained. The surface soil is very dark grayish brown and very dark gray sandy loam about 15 inches thick. The mottled underlying material is mostly dark gray silt loam in the upper part and very dark gray fine sandy loam in the lower part to a depth of about 60 inches.

Abscota soils are nearly level to gently sloping and moderately well drained. The surface layer is dark brown sandy loam about 10 inches thick. The mottled, loose sand subsoil is about 29 inches thick. The upper part is light gray, and the lower part is pale brown. The underlying material is multicolored sand to a depth of about 60 inches.

The Shoals and Abscota soils are well suited to hay, pasture and trees. The Shoals soils are well suited to cultivated crops. The Abscota soils are fairly suited to cultivated crops and some recreation uses. Shoals soils are fairly suited to poorly suited to recreation use. Cohoctah soils are poorly suited to cultivated crops, hay, pasture and recreation uses and are well suited to woodland. The soils in this association are poorly suited to building site developments and septic tank absorption fields because of flooding as previously stated. This limitation can be overcome or is not applicable.²

Topography and Natural Features

The City of St. Joseph's most significant natural features are its water bodies. Lake Michigan, the St. Joseph River, and the Paw Paw River define the east and west City limits and largely define the geographic character of the community. As a result, the City has been a tourism destination since the late 1800s. The City of St. Joseph has grown in part due to its natural resources and prospered as a waterfront community. The creek and ravine, which bisect the City from southwest to northeast, are also important natural features.

Lake Michigan forms the western boundary of the City. Lake Michigan is the lowest elevation in St. Joseph with an approximate mean lake elevation of 577.3 feet (IGLD 85). The St. Joseph River and the Paw Paw River hold similar elevations. Much of the southern portion of the City rests on a plateau over 70 feet above the lake level (or 650 feet). This plateau protects much of the City from fluctuating lake and river levels and, logically, therefore, comprises the bulk of St. Joseph's developed areas.

Environmental Contamination

The Michigan Department of Environmental Quality (MDEQ) maintains a list of both Brownfield sites and leaking underground storage tanks (LUST). Forty-seven Brownfields are located within Berrien County. Of these, two are located in the City of St. Joseph. The auto specialties site located on the



Physical Features

north side of the St. Joseph River has been largely rehabilitated or protected and redeveloped into an office/retail complex and residential area known as the Edgewater Development. The second site is the former Enterprise Oil and Tank Facility and is located on Marina Island. According to MDEQ, this site is listed as closed since the underground tanks were removed from this site in November 1995. There is an existing proposal for redevelopment of this site. Brownfield Development is clearly important to the future of the City.

MDEQ also maintains a list of both closed and opened LUST sites. A closed LUST site of which thirty-four are located within the City of St. Joseph is a location where a release has occurred from an underground storage tank system and where corrective actions have been completed. An open LUST site of which eighteen are located in the City is a location where a release has occurred from an underground storage tank system and where corrective actions have not been completed. These sites may have more than one confirmed release.

Floodplain

The 100-year floodplain, as defined by the Federal Emergency Management Agency (FEMA), designates areas that are susceptible to flooding and require regulatory review prior to development. This floodplain is shown on the flood rate insurance maps numbered 26021C0084C, 26021C0101C, 26021C0102C, and 26021C0103C, which became effective on April 17, 2006. The 100-

year floodplain designation means that during any particular year there is a one in 100 chance of the area flooding. In St. Joseph, the floodplain elevation is determined by the backwater influence of Lake Michigan on the St. Joseph and Paw Paw Rivers.

In April 2006 FEMA issued a new study and new Floodplain Insurance Rate Maps for Berrien County. These new FIRMS show the floodplain elevation at 585 NGVD29, which is one foot higher than the previous elevation established by FEMA. This has had a significant effect on the number of affected properties.

The City of St. Joseph also has a wooded ravine that crosses the City from the southwest to the northeast. This ravine contains a stream that flows to the St. Joseph River. The FIRM also shows many flood-prone areas within this ravine.

Sensitive Areas

St. Joseph's sensitive areas include natural resource areas that require special care and attention to preserve and protect. The bulk of these areas are identified as beaches and wetlands. **(Map 3)** Sandy beaches exist along much of Lake Michigan's shoreline. Sandy beaches and existing dunes are sensitive to erosion from wind and wave action. In addition, wetlands exist within the southeastern portion of the City and are primarily associated with the St. Joseph and Paw Paw Rivers.



Physical Features

There are no public forests or wooded lots within the boundary of the City. A wooded ravine exists within the floodplain running through the City, ending at Kiwanis Park. However, the bulk of these lands are privately held.





Socio-economic Profile

Population

At the time of the 2000 U.S. Census, the population for the City of St. Joseph was 8,789 residents (4,304 males, 4,485 females). According to the U.S. Census Bureau, the population estimate for the City of St. Joseph for 2005 is 8,675.

As indicated in **Table 2**, the City of St. Joseph's population has been on a steady decline over the last twenty

years. Furthermore, prior census data shows that over the last four decades, from 1960 to 2000, the City's population has declined from 11,755 to 8,789 for a total loss of 2,966 residents or 25.2% of the population. Meanwhile, Berrien County has shown an overall increase since 1960 of 8.4% (or 12,588 residents). The State of Michigan has also grown since 1960 by 27.0% (or 2,115,250 persons).

Table 2
Population Trends
City of St. Joseph, 1980 to 2000

Place	1980 Population	1990 Population	Change 1980 to 1990		2000 Population	Change 1990 to 2000		Change 1980 to 2000	
			No.	%		No.	%	No.	%
St. Joseph	9,622	9,214	-408	-4.2	8,789	-425	-4.6	-833	-8.7
Berrien County	171,276	161,378	-9898	-5.8	162,453	1,075	0.7	-8823	-5.2
Michigan	9,262,078	9,295,297	33,219	0.4	9,938,444	643,147	6.9	676,366	7.3
St. Joseph as a % of Berrien County	5.6	5.7	--	--	5.4	--	--	--	--

Source: United States Bureau of the Census

This overall loss in population for the City of St. Joseph has certainly altered the dynamic of the City. Meanwhile, Berrien County has been able to stabilize its population. Much of this may be the result of local populations entering the City to benefit from its resources and, then, retreating to area townships to reside. Other contributing factors include the percentage of homes used as seasonal residences, the aging population and smaller household sizes.

Nationwide, there is also an overall reduction in household size. For example, according to 2000 Census Data, the State of Michigan declined from an average household size of 2.66 in 1990 to 2.56 in 2000; the national average declined in 1990 from 2.63 to 2.59 in 2000. However, additional factors seem to play a role in St. Joseph's population loss. These factors include the reduction in St. Joseph's school population since the 1998-1999 school year (reference following education section for additional information), and the corresponding



Socio-economic Profile

reduction in the family formation age group within the City. Furthermore, considerable amounts of new home construction are taking place within the surrounding townships, and Berrien County has grown in population over the last decade. *These factors suggest that there is, in fact, area growth that St. Joseph has not been able to capture.* It is critical that the City of St. Joseph face head-on the reasons for this long-term population exodus and form policies for remediation and capitalize on opportunities for growth. Without a strong, permanent population base, the City is likely to face future hardship.

Many smaller, waterfront communities face similar population issues. To provide a regional comparison, **Table 3** illustrates recent population trends for other lakefront cities on central and southern Lake Michigan. As compared to these municipalities, the City of St. Joseph's loss in population appears to be an average value. However, the City of Holland breaks the mold with an increase of 14.0%. **Table 4** breaks down the population density of each of these communities. The City of St. Joseph declines in population density per

square mile at a rate of 4.6%; which parallels its decline in overall population. Other communities have similar statistics. The City of Holland also shows a loss in population density despite their great increase in population. Additional factors, such as annexation, may play a role in the outcome of these numbers; therefore, Holland's rate of growth may be exaggerated. Nevertheless, a comparable municipality that has reversed negative trends, such as a decline in population, warrants further future investigation as a reliable model for area communities, including St. Joseph.

These population trends are not an uncommon theme in smaller communities throughout the state. *Urban sprawl and lifestyle changes strain those communities ill prepared and unwilling to formulate new strategies for growing the community with vibrant, young life.* The City benefits from a strong existing infrastructure and civic resources, as well as the attraction of and physical proximity to Lake Michigan. *St. Joseph has the opportunity to flourish in upcoming decades. Proper, thorough and wise planning is key to the City's future.*



Socio-economic Profile

**Table 3
Regional Population Comparison
1990 to 2000**

Place	1990 Population	2000 Population	Change 1990 to 2000 %
St. Joseph	9,214	8,789	-4.6
Benton Harbor	12,818	11,182	-12.8
New Buffalo	2,317	2,200	-5.1
South Haven	5,563	5,021	-9.7
Holland	30,745	35,048	14.0
Saugatuck	954	1,065	11.6
Grand Haven	11,951	11,168	-6.6
Ludington	8,507	8,357	-1.8
Manistee	6,734	6,586	-2.2

Source: United States Bureau of the Census

**Table 4
Population Density
1990 to 2000**

Place	1990 Population Density (per sq. mile)	2000 Population Density (per sq. mile)	Change 1990 to 2000 %
St. Joseph	2,685.3	2,561.3	-4.6
Benton Harbor	2,914.5	2,545.7	-12.7
New Buffalo	1088.5	910.4	-16.4
South Haven	2,100.9	1,452.3	-30.9
Holland	2,170.3	2,115.3	-2.5
Saugatuck	801.4	893.6	11.5
Grand Haven	2,067.4	1,923.5	-7.0
Ludington	2,540.4	2,482.2	-2.3
Manistee	2,066.5	2,023.7	-2.1

Source: United States Bureau of the Census

Age Distribution and Sex

Since 1980, the median age in the City of St. Joseph has risen from 36.2 to 39 years. Likewise, the City's median age is much higher at 39 years than Berrien County (37 years) or the State of Michigan (35.5 years). As in 1990, this is

largely in part to the greater percentage of population 65 years and older.

As with the 1990 statistics, the population between 65-84 years is still very large at 14.7%; however, as a percentage of total population, this age group has declined from 18.4% in



Socio-economic Profile

1990. Whereas in 1990 the largest percentage of the City's population were age groups 25-44 (24.7%) and 65-84 years. In 2000, the largest age group remains the family formation age group or 24-44 year olds (30.6%) but is followed by the 5-19 year olds (16.7%). Aside from the above shifts in population age groupings, the only age group to have grown in number from 1990 to 2000 was the 45-54 year olds. This age group showed an increase of 35.0% -- from 805 persons in 1990 to 1,240 persons in 2000.

Overall, the trends in population are more of an encouraging indicator of future growth than in the past. However, trends in age group population are not clear indicators of future stability for younger generations within the community or the school

system population of which they support. Furthermore, the scales do remain uncommonly tilted towards the older age groups, with a median age of St. Joseph residents 3.5 years older than the State of Michigan. Likewise, residents 65 years and older account for 18.2% of St. Joseph's population, compared to 14.4% of the County and 12.3% of the State. Long-term projections, however, show a decrease in older population; which corresponds to the reduction of certain civil services and the tax burden required to support these services. In addition, the stability of the family formation age group indicates that the City of St. Joseph can, in fact, support growing families. Subsequently, the challenge is a matter of attracting additional growing families to the area.

**Table 5
Age Distribution
City, County, and State, 2000**

Age Range	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
Under 5	425	4.8	10,583	6.5	672,005	6.8
5-19	1,471	16.7	36,086	22.2	2,212,060	22.3
20-24	606	6.9	9,084	5.6	643,839	6.5
25-44	2,692	30.6	44,723	27.5	2,960,544	29.8
45-54	1,240	14.1	22,901	14.1	1,367,939	13.8
55-64	753	8.6	15,625	9.6	863,039	8.7
65-84	1,294	14.7	20,600	12.7	1,076,558	10.8
85+	308	3.5	2,849	1.8	142,460	1.4
Median Age (years)	39	--	37	--	35.5	--

Source: United States Bureau of the Census



Socio-economic Profile

Population broken down according to sex indicates that in the year 2000 there were 4,304 males (49.0%) and 4,485 females (51.0%).

Racial Makeup and Disability Status

The racial makeup of the City of St. Joseph's population is relatively

homogeneous. Over 90.3% of the City's population is white. The black or African American population is the second largest at 5.1%. The City has a much larger white population than Berrien County (79.7%) and the State of Michigan (80.2%).

**Table 6
Racial Makeup
City, County, and State, 2000**

RACE	St. Joseph		Berrien County		Michigan	
	No.	%	No.	%	No.	%
White	7,937	90.3	129,459	79.7	7,966,053	80.2
Black or African American	449	5.1	25,879	15.9	1,412,742	14.2
American Indian and Alaska Native	36	0.4	691	0.4	58,479	0.6
Asian and Asian Indian	306	3.5	2,379	1.5	231,141	2.3
Other	61	0.1	4,045	2.5	270,029	2.7
Totals	8,789	99.4	162,453	100.0	9,938,444	100.0

Source: United States Bureau of the Census

Disability status is tracked through the U.S. Census according to working age and post-working age groups. Within the City of St. Joseph, 13.7% of the working age group between 21 and 64 years of age reports having a disability. The City's disability percentage is significantly lower than Berrien County (19.3%) and the State of Michigan. However, the reporting of a disability is not a determination of whether or not a person holds a job. The Census Bureau reports that more than half of these people have jobs (18.0%). Of the post-working age group (65 years and older), 40.2% of the population is

classified as having a disability. Again, this percentage is lower than both the County and the State at 42.4% and 42.0% respectively.

Households

The following describes and quantifies current and historic conditions within the City of St. Joseph. Information has been gathered from the 2000 Census, the City of St. Joseph and other sources to provide an understanding of the City's housing stock and condition.



Socio-economic Profile

Overall, the City of St. Joseph consists of a housing stock much older than state-wide averages. Homes are generally well maintained and located throughout the community, with a vast majority centered around and extending outwards from the central business district.

Single-family developments, such as areas north of the St. Joseph River, west of Lake Boulevard and south of downtown, and north of St. Joseph Avenue and west of the St. Joseph River are among the City's newest and best-maintained residential areas. However, some of the City's older neighborhoods show evidence of deferred maintenance, without actually falling into the blighted category. These areas show signs of neglect that could lead to disinvestment. High turnover, rental housing that is owned by out-of-town landlords is particularly susceptible to this type of decline.

In contrast to marginal neighborhoods, the housing market is strong in certain sections of St. Joseph, particularly in newer, single-family areas, these newer neighborhoods are generally located on or near the waterfronts. Single-family detached homes accounted for more than half of St. Joseph's housing stock in 2000. This proportion has been slightly increasing over time because most of the new homes constructed within the City tend to be single-family rather than multi-family units. St. Joseph does not have a strong, active gentrification movement but does have an active infill housing market. The most visible signs of housing

investment in the City are St. Joseph's newer single-family homes.

As an older community, St. Joseph is vulnerable to the physical and economic deterioration of its neighborhoods and must be diligent in guarding against it. Older housing stock does not necessarily mean a community or neighborhood is doomed to decline. However, it does mean that special efforts are required to overcome the first signs of decay or stagnation. Older neighborhoods often possess character and architectural details that may be overlooked but can be used to stabilize and strengthen the area when identified, valued and enhanced. St. Joseph is a City of neighborhoods with their own unique histories and personalities. They are the City's quiet inner strength and must be preserved. To help ensure continued economic vitality these neighborhoods are deserving of special attention and effort. Decline in any measure of a neighborhood's health must be prevented-- whether in population, the quality of its housing stock, economic activity or physical appearance. The revitalization and rejuvenation of neighborhoods, particularly those that have never achieved their full potential, is key to the City's future economic health.

Historic Preservation

Community character has a physical dimension. Its preservation tells us who we are and how we got here and it helps us shape the direction in which we want to go. Currently, the City of St. Joseph does not have a recognized



Socio-economic Profile

historic preservation district in place nor does it have any adopted regulations that would enforce the preservation of historic buildings. The only reference to historic preservation within the City is the "Old St. Joseph Neighborhood Homeowners Association". While the neighbors within this ten-block area police themselves they do not have any authority to ensure that buildings and structures are fully protected from demolition or inappropriate modifications.

Furthermore, previous attempts at historic preservation within the community have been limited. The only direct reference to historic preservation in the 1993 Plan was the recommendation that the City designate "work to recommend sites and areas that are of historic interest to St. Joseph". In this Plan, we recognize that historic preservation is important not only in retaining the physical evidence of the history and individual character of St. Joseph, but also as a tool in maintaining the viability of our older neighborhoods. In addition, historic preservation does not exist in a vacuum. Just as historic sites must be evaluated within the context of their surroundings and their history, they must also be viewed within the wider context of preservation of the community as a whole. However, this wider context needs to be evaluated very carefully and should not be used as a means of getting rid of something simply because it's old, beat up and nobody seems to want it at the moment. When deciding whether or not to preserve something, we need to bear in mind that once a building or site has been

destroyed, it's gone forever, there is no going back.

Housing Tenure and Occupancy

As shown in **Table 7**, the City of St. Joseph has 4,117 total occupied housing units. Of these units, 57.6% (2,373) are owner-occupied, as compared with 72.3% in Berrien County. The number of renter-occupied housing for the City of St. Joseph is 42.4% (1,744), which is significantly higher than both the county and the state. The county and state percentages are very similar at 27.7% and 26.2%. The amount of one-person households is 44.1% and nearly one-fourth of the households are occupied by residents 65 years and older. This suggests a fairly high number of single adults and/or widowed elderly persons. According to 2000 Census data, the average household size of owner-occupied units in the City is 2.20, which is lower than Berrien County (3.0) and the State of Michigan (2.67). Despite increases in both the number of households and of people in the United States since 1990, both the average household size and average family size have decreased over the last decade. These declines continue the downward trends in average household size indicators. Average household size has been on the decline since the end of the Baby Boom in the 1960's.

According to **Table 7**, 89.6% of the City's housing stock is occupied. This is approximately a 2.8% decline from the 1990 Census. However, owner-occupied housing has increased from 52.7% in the 1990 Census to 57.6% as of the 2000 Census. This figure shows a decline in the renter occupied housing over the past decade.



Socio-economic Profile

Table 8 shows the City has a vacancy rate of 10.4% (477), which is very similar to the State of Michigan's 10.6%. Berrien County is higher at 13.4%. The seasonal vacancy rate for housing units in St. Joseph is 27.7% as compared with New Buffalo (74.9%) and South Haven (81.0%); St. Joseph has fewer vacancies contributing to seasonal units. Two other communities were observed, Holland and Benton Harbor. Holland had a vacancy rate for seasonal units at 19.8%, while Benton Harbor was thrown out with a total of only 10 seasonal units within the entire community. According to these figures,

St. Joseph does not have a large seasonal stock of housing units as compared to New Buffalo and South Haven. It does, however, have more total housing units than both of these communities combined. These statistics could indicate that if the City should desire to pursue additional seasonal housing there appears to be a potential market. However, there can be associated risk with an increase in seasonal housing that could inadvertently decrease the small town charm of the City.

**Table 7
Housing Tenure
City, County, and State, 2000**

HOUSING TENURE	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
Occupied housing units	4,117	100	63,569	100	3,785,661	100
Owner-occupied housing units	2,373	57.6	45,938	72.3	2,793,124	73.8
Renter-occupied housing units	1,744	42.4	17,631	27.7	992,537	26.2
One Person Households	1,817	44.1	17,196	27.1	993,607	26.3
65 years and over	1,046	25.4	15,299	24.1	795,583	21
Average household size of owner-occupied unit	2.20	--	3.0	--	2.67	--
Average household size of renter-occupied unit	1.72	--	2.0	--	2.24	--

Source: United States Bureau of the Census



Socio-economic Profile

**Table 8
Housing Occupancy
City, County, and State, 2000**

HOUSING OCCUPANCY	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
Total housing units	4,566	100	73,445	100	4,234,279	100
Occupied housing units	4,117	89.6	63,569	86.6	3,785,661	89.4
Vacant housing units	477	10.4	9,876	13.4	448,618	10.6
For seasonal, recreational, or occasional use	132	2.9	5,259	7.2	233,922	5.5
Homeowner vacancy rate	-	2	-	2	-	1.6
Rental vacancy rate	-	9	-	8	-	6.8

Source: United States Bureau of the Census

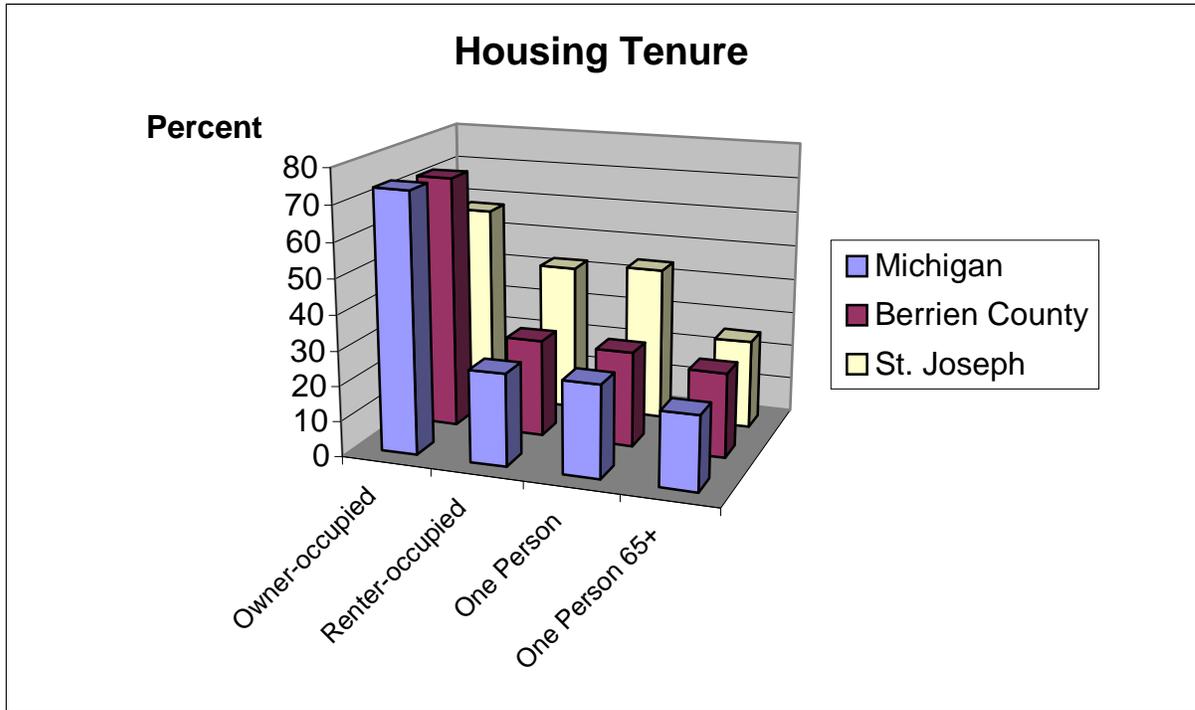
**Table 9
Housing Units & Vacancy Rates
Waterfront Communities, 2000**

City	Housing Units	Vacant Housing Units	Vacant for Seasonal	Seasonal % Vacant
St. Joseph	4594	477	132	27.7
Benton Harbor	4492	725	10	1.4
Holland	12533	562	111	19.8
New Buffalo	1426	479	359	74.9
South Haven	2979	884	716	81.0

Source: United States Bureau of the Census



Socio-economic Profile



Types of Housing

The following is an inventory of the types of housing units and condition of the stock within the City of St. Joseph. There are 4566 housing units available in the City of St. Joseph (2000 U.S. Census) an increase of 21 housing units from the 1990 census. While this figure does not look like there has been a major change in the total housing units, as shown in **Table 9**, the number of

single-family units has increased by 123 units, while the number of multi-family units (excluding duplexes) has decreased by 13 units. These numbers indicate a move towards revitalizing and capturing land area within the City limits and encouraging new housing developments, such as the Edgewater Dunes Project, Marina Island, and other various infill housing throughout the City.

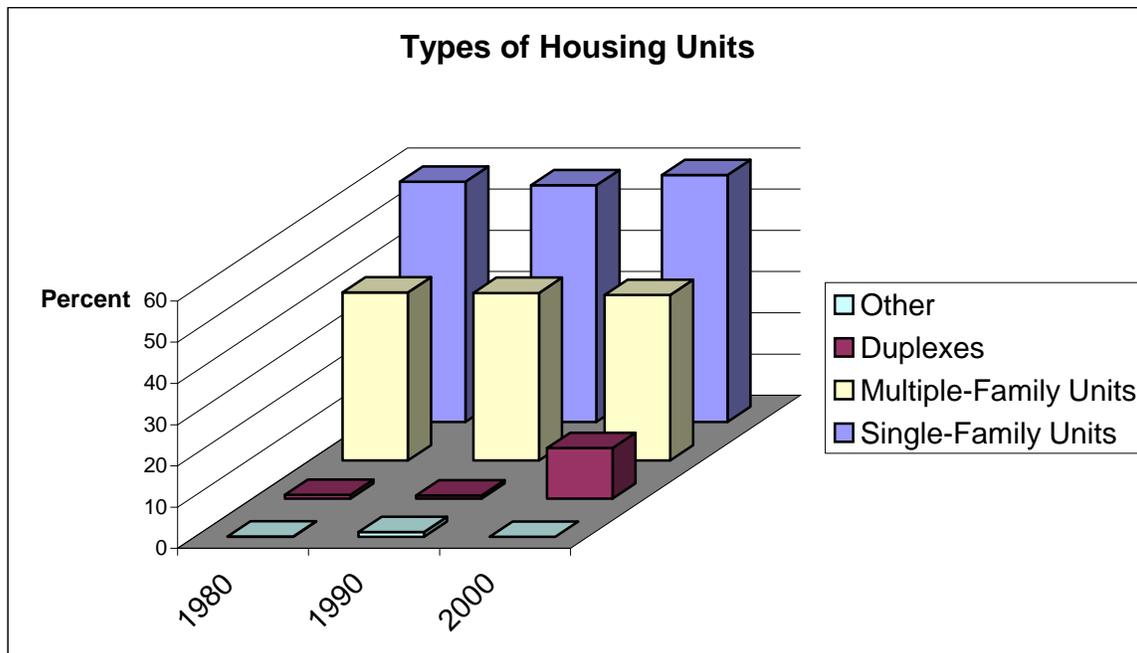


Socio-economic Profile

Table 9
Types of Housing Units
City of St. Joseph, 2000

	1980		1990		2000	
	No.	%	No.	%	No.	%
Single-Family Units	2,655	58.3	2,611	57.4	2,734	59.9
Duplexes	41	0.9	37	0.8	41	0.9
Multiple-Family Units	1,857	40.7	1,845	40.6	1,832	39.8
Other	5	0.1	52	1.2	0	0
Total	4,558	100.0	4,545	100.0	4,607	100.6

Source: United States Bureau of the Census



Age of Structure

The City of St. Joseph is a mature city with a large percentage of aging housing stock. While many of the City's older homes have been well maintained, there are several areas within the City that revitalization efforts should be addressed. The age of

housing units offers some insight into housing quality. The age of a housing unit often times negatively correlates with housing condition. Particularly with the age of the occupant or lack of financial resources, as a housing unit increases in age, the condition of the unit tends to deteriorate. As shown in **Table 10**, one-half of the City's housing



Socio-economic Profile

stock was built before 1950; thus, in 2006, over two-thirds of the existing housing within the City are over 50 years old. In fact, 1,725 housing units were built in 1939 or earlier making up 37.8% of the total housing units within the City. Typically, industry standards mark 50 years as the economically useful age of a structure. After that, major repairs are common.

Furthermore, over 94% of the housing units were built before 1979; therefore, many of these structures may require attention and upgrades to the electrical, heating, plumbing, or structural integrity. In addition, many of these homes may contain lead-based

paint, which represents a substantial health risk for children.

As compared to the State and Berrien County, the number of older homes in St. Joseph is considerably greater. Older homes can be an asset or a liability. On one hand, they provide the character and architectural detail often non-existent in modern construction. On the other hand, these older homes are often deficient in amenities important to today's family, such as smaller room sizes, a shortage of bathroom facilities, insufficient kitchen sizes and amenities, and single, detached or non-existent garages.

Table 10
Age of Housing
City, County, State, 2000

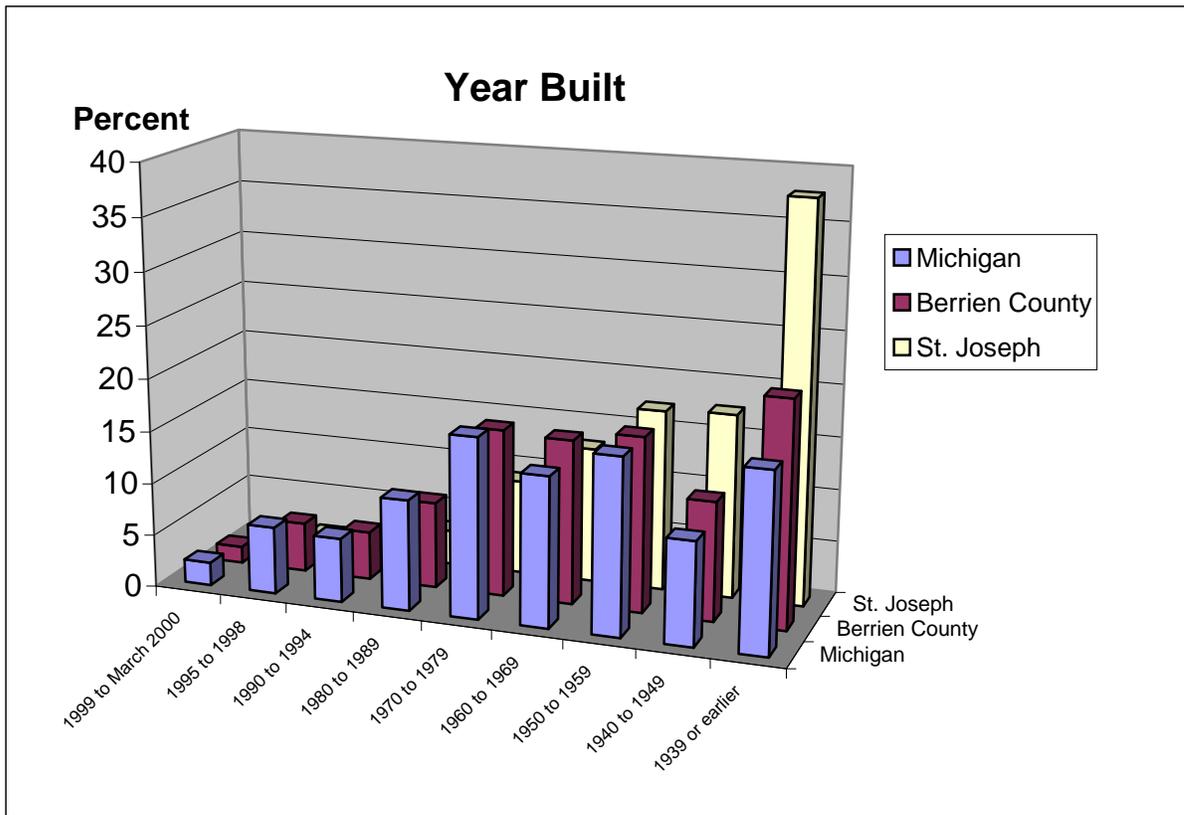
Year Units Built	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
1999 to March 2000	0	0	1,199	1.6	91,872	2.2
1995 to 1998	63	1.4	3,475	4.7	272,594	6.4
1990 to 1994	41	0.9	3,413	4.6	259,389	6.1
1980 to 1989	152	3.3	6,044	8.2	446,197	10.5
1970 to 1979	413	9.0	11,664	15.9	722,799	17.1
1960 to 1969	589	12.9	11,432	15.6	602,670	14.2
1950 to 1959	783	17.2	12,212	16.6	706,799	16.7
1940 to 1949	800	17.5	8,264	11.3	416,500	9.8
1939 or earlier	1,725	37.8	15,742	21.4	715,459	16.9
Median Year Built	1947	-	1960	-	1965	-

Source: United States Bureau of the Census

* 2000-2005 124 new homes constructed with at an average cost of \$273,030, source City of St. Joseph



Socio-economic Profile



Housing Values

In 2000, the greatest percentage of homes in the City of St. Joseph were valued between \$50,000 and \$99,999 (48.1%) and \$100,000 to \$149,000 (23.4%). This price point is promising for most prospective homebuyers and very manageable with a median household income of \$37,032, according to 2000 census data. The median value of homes in St. Joseph was \$100,000, which is higher than Berrien County (\$94,700) but lower than the State (\$115,600) and the U.S. (\$119,600). The

lower median value of homes, as compared to surrounding communities, can be contributed to having over two-third of the existing housing stock within the City built prior to 1950.

Since 2000, the City of St. Joseph has experienced a resurging new housing market. New housing developments along the river and lake as well as various infill housing have sparked new growth within the community. From 2000 to 2006, the City has seen 149 new single-family housing starts. In 2006 alone, 25 new single-family homes were



Socio-economic Profile

built at an average cost of \$249,568. This new development that has occurred within the City is a testament

to the vitality and economic strength of the community.

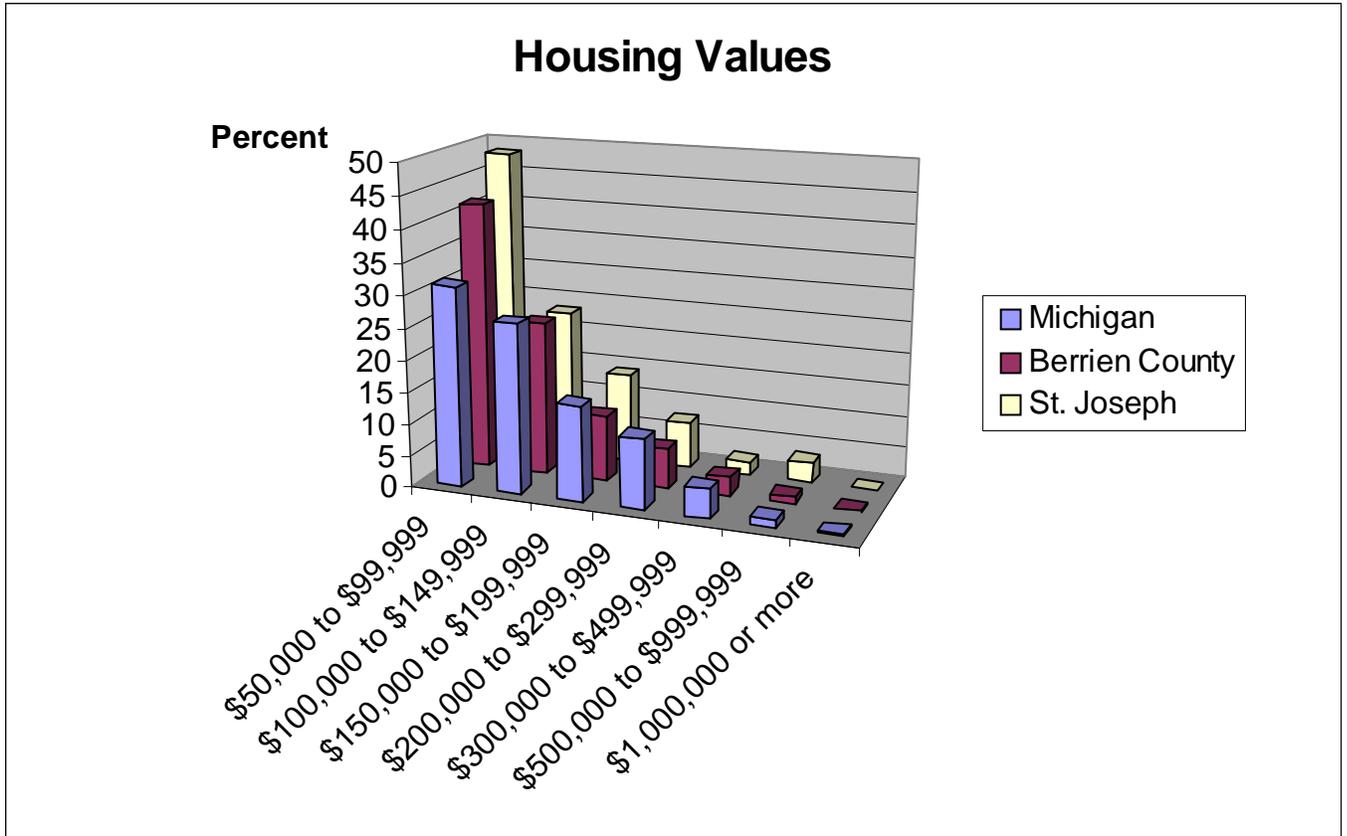
Table 12
Housing Values
City, County, State, 2000

Value	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
\$50,000 to \$99,999	1,054	48.1	15,516	41.9	711,648	31.4
\$100,000 to \$149,999	512	23.4	8,936	24.1	603,454	26.6
\$150,000 to \$199,999	307	14	3,836	10.4	339,716	15
\$200,000 to \$299,999	159	7.3	2,320	6.3	252,044	11.1
\$300,000 to \$499,999	45	2.1	1,095	3	104,079	4.6
\$500,000 to \$999,999	71	3.2	393	1.1	27,642	1.2
\$1,000,000 or more	0	0	87	0.2	5,989	0.3
Median (dollars)	100,000	N/A	94,700	N/A	115,600	N/A

Source: United States Bureau of the Census



Socio-economic Profile



Socio-economic Profile

Households

The census looks at two types of households, family and non-family. Families are defined as a group of individuals, of which at least two are related to one another by birth, adoption, or marriage, living together in a housing unit. About 50% of all persons in St. Joseph are part of family households and 50% non-family households. The larger than average percentage of non-family households

further supports and explains the larger number of renter-occupied housing within the City. The State of Michigan follows very closely to the national percentage with 68% family households and 32% non-family households. The percentage of single householders in St. Joseph is 44.1%, which is significantly higher than regional and statewide averages. Again, these statistics reflect an aging population and/or non-married families.

Table 13
Household Types
City, County, State, 2000

HOUSEHOLDS BY TYPE	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
Total households	4,117	100	63,569	100	3,785,661	100
Family households (families)	2,057	50	43,336	68.2	2,575,699	68
With own children under 18 years	907	22.0	19,850	31.2	1,236,713	32.7
Married-couple family	1,549	37.6	32,550	51.2	1,947,710	51.4
With own children under 18 years	596	14.5	13,283	20.9	873,227	23.1
Female householder, no husband present	386	9.4	8,419	13.2	473,802	12.5
With own children under 18 years	248	6.0	5,283	8.3	283,758	7.5
Non-family households	2,060	50.0	20,233	31.8	1,209,962	32
Householder living alone	1,817	44.1	17,196	27.1	993,607	26.2
Householder 65 years and over	590	14.3	6,883	10.8	355,414	9.4
Households with individuals under 18 years	964	23.4	21,934	34.5	1,347,469	35.6
Households with individuals 65 years and over	1,103	26.8	16,474	25.9	862,730	22.8
Average household size	2.0	N/A	2.5	N/A	2.56	N/A
Average family size	2.8	N/A	3.0	N/A	3.1	N/A

Source: United States Bureau of the Census



Socio-economic Profile

Income and Wealth

Per capita income and median household income are two ways of measuring prosperity within a community. Per capita income is determined by dividing the total income of residents by the population and is a better indicator of the wealth of the community. Median household income is the level at which the number of households with a higher income is equal to those with a lower income and it is an indicator of how income is distributed in the community. The income levels of residents reflect the community's ability to pay taxes as well as its ability to support local commercial activity.

The City of St. Joseph had a per capita income of \$24,949 and a median household income of \$37,032 in 1999. The City had a higher per capita income than the State and Berrien County but a lower median income than the State and Berrien County. This data would lead us to believe that there are a number of wealthier households within the City causing the per capita income levels to be higher than the State and County. While this number signifies greater wealth it also means there is greater disparity between higher income households and lower income households.



Socio-economic Profile

**Table 14
Income Levels
City, County, State, 1999**

Income in 1999	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
Less than \$10,000	326	7.9	6,469	10.2	313,905	8.3
\$10,000 to \$14,999	401	9.8	4,982	7.8	219,133	5.8
\$15,000 to \$19,999	350	8.5	4,473	7.0	227,379	6.0
\$20,000 to \$24,999	208	5.1	4,522	7.1	241,721	6.4
\$25,000 to \$29,999	286	7.0	4,232	6.6	236,089	6.2
\$30,000 to \$34,999	334	8.1	4,382	6.9	234,330	6.2
\$35,000 to \$39,999	275	6.7	3,794	6.0	219,661	5.8
\$40,000 to \$44,999	268	6.5	3,828	6.0	214,406	5.7
\$45,000 to \$49,999	226	5.5	3,150	4.9	190,259	5.0
\$50,000 to \$59,999	353	8.6	5,849	9.2	353,430	9.3
\$60,000 to \$74,999	317	7.7	6,572	10.3	425,325	11.2
\$75,000 to \$99,999	299	7.3	5,825	9.2	432,681	11.4
\$100,000 to \$124,999	177	4.3	2,529	4.0	222,789	5.9
\$125,000 to \$149,999	91	2.2	1,106	1.7	102,177	2.7
\$150,000 to \$199,999	111	2.7	933	1.5	79,291	2.1
\$200,000 or more	79	1.9	998	1.6	76,204	2.0
Total	4,101	100.0	63,644	100.0	3,788,780	100.0
Median (dollars)	37,032		38,567		44,667	
Per Capita (dollars)	24,949		19,952		22,168	

Source: United States Bureau of the Census

Poverty

The poverty rate is the proportion of people living in households with incomes below the poverty threshold. Poverty income thresholds are based on national standards, which take into account the household income as well as the number of people living in the household. The poverty level indicator evaluated a household's ability to provide basic needs.

The poverty level is determined by the U.S. Census and based on answers to income questions. The poverty thresholds vary depending on three criteria: size of household, number of children, and age of the head of the household. Poverty thresholds were applied on a national basis and were not adjusted for state, regional, or local variations. All poverty statistics in this section are based on the St. Joseph, Berrien County and State of Michigan populations for which poverty status was determined during the 2000 census.



Socio-economic Profile

Table 15
Poverty Status
City, County, State, 1999

BELOW POVERTY LEVEL	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
Families	86	4.3	4,040	9.3	192,376	7.4
With related children under 18 years	62	6.3	3,140	14.4	151,943	11.3
With related children under 5 years	17	4.4	1,658	19.9	76,449	14.7
Families with female householder, no husband present	62	17	2,405	29.7	110,549	24
With related children under 18 years	62	24.9	2,200	38.4	99,905	31.5
With related children under 5 years	17	32.1	1,226	55	50,393	44.2
Individuals	535	6.6	20,202	12.7	1,021,605	10.5
18 years and over	426	6.5	12,682	10.7	668,670	9.3
65 years and over	92	6.3	2,057	9	96,116	8.2
Related children under 18 years	98	6.1	7,249	17.8	340,254	13.4
Related children 5 to 17 years	78	6.6	4,855	15.9	237,590	12.7
Unrelated individuals 15 years and over	320	12.5	6,569	23.4	362,575	21.8

Source: United States Bureau of the Census

According to the 2000 Census, 6.6% of St. Joseph's residents (535 persons) lived below the poverty level. More than 6% of all St. Joseph households that are experiencing poverty also have dependent children present and nearly 17% of all families living in poverty have a single-parent, female head of household with children. These percentages are well below State and regional poverty levels. This is an indicator of a strong economy.

Economy

The condition of the local economy is an extremely important element in the planning process because it is the

economy that generates the wages that support the citizens and pays for the services and facilities that help define an area's quality of life. New jobs generated during strong economic periods provide opportunities for people living in the area to remain as well as provide the opportunity to attract people from outside the area to relocate in the prosperous community. Both elements can contribute to population growth. On the other hand, without sufficient job opportunities many high school graduates will leave an area and many college graduates will not return after receiving a degree. Thus, the strength of an area's economy



Socio-economic Profile

has a tremendous influence on its overall growth and stability.

The inventory and analysis of St. Joseph's labor force and economic resources and activities are important components of the Comprehensive Master Plan. The growth and sustainability

of the City and surrounding areas is largely dependent upon the existing economic structure, including its relationships with regional and national market conditions. **Table 16** shows the breakdown of employment by City, county and state.

Table 16
Employment Status
City, County, State, 2000

EMPLOYMENT STATUS	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
Population 16 years and over	7,233	100	125,198	100	7,630,645	100
In labor force	4,528	62.6	81,078	64.8	4,926,463	64.6
Civilian labor force	4,523	62.5	81,031	64.7	4,922,453	64.5
Employed	4,404	60.9	76,557	61.1	4,637,461	60.8
Unemployed	119	1.6	4,474	3.6	284,992	3.7
Armed Forces	5	0.1	47	0	4,010	0.1
Not in labor force	2,705	37.4	44,120	35.2	2,704,182	35.4
Females 16 years and over	3,794	100	65,913	100	3,943,137	100
In labor force	2,224	58.6	38,662	58.7	2,305,121	58.5
Civilian labor force	2,224	58.6	38,662	58.7	2,304,452	58.4
Employed	2,149	56.6	36,394	55.2	2,178,114	55.2
Own children under 6 years	524	100	11,908	100	775,738	100
All parents in family in labor force	301	57.4	7,547	63.4	472,740	60.9

Source: United States Bureau of the Census

Employment

Table 17 identifies rates of employment within Berrien County. Data illustrates that employment in the county is starting to bounce back from over a decade-long low in 2004. In 2005 the County had a 2.7% employment

increase over 2004. Unemployment rates since 1990 have fluctuated from a high of 9.2% in 1991 to a low of 3.6% in 1999. In the City of St. Joseph, unemployment was 5.2% in 1990 and 1.6% in 2000. Again, this shows the strength of the economy within the City.



Socio-economic Profile

Table 17
Rates of Employment
Berrien County, 1990 - 2005

Year	Employment		Unemployment	
	Total	% Change Year Ago	Rate	Unit Change Year Ago
1990	75,120	NA	7.2	NA
1991	73,150	-2.6	9.2	2
1992	74,698	2.1	8.8	-0.4
1993	77,199	3.3	7.2	-1.5
1994	79,462	2.9	6	-1.3
1995	78,291	-1.5	5.4	-0.6
1996	77,875	-0.5	5.6	0.2
1997	78,588	0.9	4.9	-0.7
1998	78,676	0.1	4.2	-0.7
1999	80,376	2.2	3.6	-0.5
2000	81,288	1.1	3.7	0
2001	77,006	-5.3	5.4	1.8
2002	74,009	-3.9	6.3	0.8
2003	72,670	-1.8	7.3	1.1
2004	72,572	-0.1	7.6	0.3
2005	74,556	2.7	6.7	-0.9

Source: Real Estate Center at Texas A&M University

Table 18 illustrates the breakdown, by occupation, of the employed population of the City in 2000. The “employed population” is defined as people living in the City who are 16 years and older and have entered the workforce. In 2000, the City had an employed population of 4,404 persons, or 50.1% of the total population. Approximately 39.7% of the labor force was employed in management, professional, and related occupations. As compared with the state and county, the City of St. Joseph is a regional leader within this occupational category. The occupational category of sales and

office-related work comes in second at 25.6% and is comparable with the State of Michigan and Berrien County.

The data in **Table 19** shows employment by major industry groupings for the labor force in St. Joseph, Berrien County, and the State of Michigan. The resulting data was relatively similar across all industrial categories, with the manufacturing (22.5%) and education and health care (22.3%) sectors leading all other industrial categories. Depicted in this data is the diversity of the City’s economy.



Socio-economic Profile

Table 18
Employment by Selected Occupation
City, County, State, 2000

OCCUPATION	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
Management, professional, and related occupations	1,748	39.7	22,415	29.3	1,459,767	31.5
Service occupations	604	13.7	11,734	15.3	687,336	14.8
Sales and office occupations	1,128	25.6	18,432	24.1	1,187,015	25.6
Farming, fishing, and forestry occupations	10	0.2	794	1	21,120	0.5
Construction, extraction, and maintenance occupations	284	6.4	6,843	8.9	425,291	9.2
Production, transportation, and material moving occupations	630	14.3	16,339	21.3	856,932	18.5

Source: United States Bureau of the Census



Socio-economic Profile

**Table 19
Employment by Selected Industry
City, County, State, 2000**

INDUSTRY	St. Joseph		Berrien County		State of Michigan	
	No.	%	No.	%	No.	%
Agriculture, forestry, fishing and hunting, and mining	17	0.4	1,462	1.9	49,496	1.1
Construction	207	4.7	4,601	6	278,079	6
Manufacturing	992	22.5	18,825	24.6	1,045,651	22.5
Wholesale trade	90	2	2,229	2.9	151,656	3.3
Retail trade	403	9.2	8,254	10.8	550,918	11.9
Transportation and warehousing, and utilities	337	7.7	5,003	6.5	191,799	4.1
Information	121	2.7	1,285	1.7	98,887	2.1
Finance, insurance, real estate, and rental and leasing	167	3.8	2,911	3.8	246,633	5.3
Professional, scientific, management, administrative, and waste management services	368	8.4	4,936	6.4	371,119	8
Educational, health and social services	982	22.3	15,547	20.3	921,395	19.9
Arts, entertainment, recreation, accommodation and food services	371	8.4	5,690	7.4	351,229	7.6
Other services (except public administration)	223	5.1	3,784	4.9	212,868	4.6
Public administration	126	2.9	2,030	2.7	167,731	3.6

Source: United States Bureau of the Census

St. Joseph continues to be one of Berrien County's largest employment centers. The presence of Whirlpool, LECO, and the Lakeland Regional Health System creates numerous employment opportunities dedicated

to various areas of expertise. In addition, the employees from these industries support other markets thus solidifying the City's downtown as the largest concentration of retail and service establishments in the County.



Socio-economic Profile

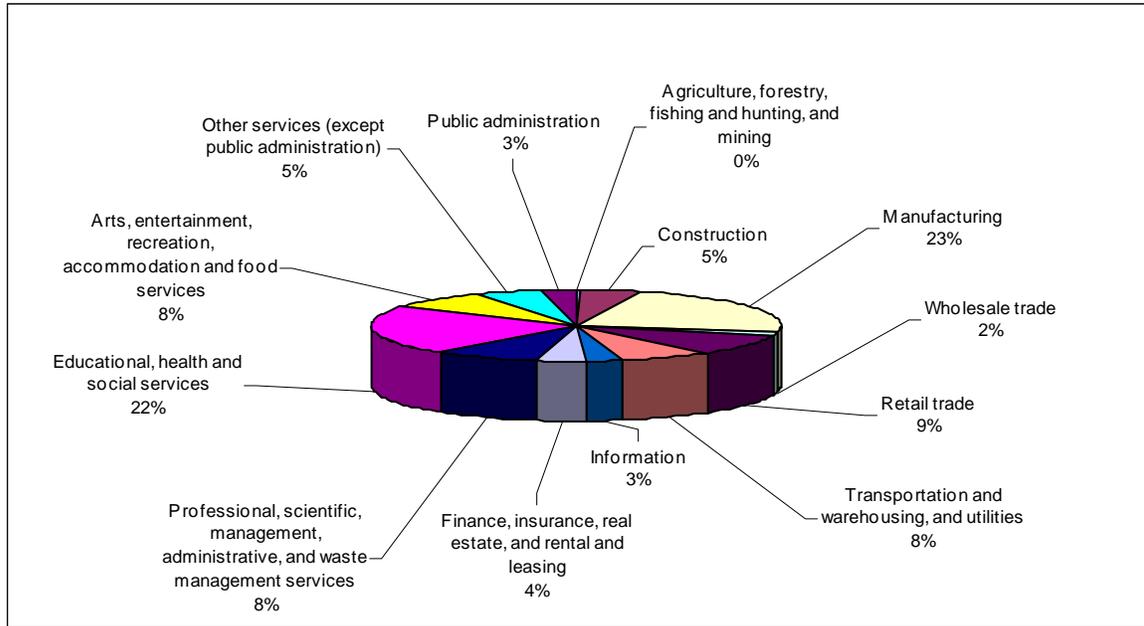
**Table 20
Principal Employers
City and County, 2000**

INDUSTRY	No. of Employees
Lakeland Regional Health System	3200
Whirlpool Corporation (Headquarters)	2800
Michigan Pizza Hut, Inc.	1300
AEP / Cook Nuclear Plant (Generation)	1161
Bosch Braking Systems	982
Berrien County	752
Benton Harbor Area Schools	730
Leco Corporation	640
Andrews University	561
IPC Print Services	519
Meijer, Inc.	500
Lake Michigan College	440
Atlantic Automotive Components	396
Chemical Bank Shoreline	360
Gast Manufacturing / Division of IDEX Corporation	357
Lakeshore Public Schools	335
St. Joseph Public Schools	325
Martin's Super Market (St. Joseph and Stevensville)	320
Berrien County Intermediate School District	300
Whirlpool Corporation (Manufacturing)	261
Wal-Mart	235
Modern Plastics Corporation	220
Premier Tool Die Cast Corporation	218
Comcast Cable	210
YMCA Family Center	200
Fifth Third Bank	185
Hoffman Die Cast Corporation	185
Riverwood Center	172
Pri Mar Petroleum, Inc.	161
Lowe's Companies, Inc.	157
First Resources Federal Credit Union	150
New Products Corporation	150
Herald Palladium	150



Socio-economic Profile

Employment by Industry City of St. Joseph, 2000



Taxation

A balanced tax base is important with amendments to the State Constitution that govern increases to both the tax rate and taxable value. Over the past several decades, several factors have negatively affected local governments' ability to deliver traditional municipal services (i.e. fire, transportation, refuse). Those factors are the Headlee Amendment, which limits increases in property tax revenues; Proposal A, which limits increases in taxable values of property; and implementing legislation for Proposal A that modified Headlee to prevent property tax roll-up and treated property transfers as growth in existing property.

Property taxes are expressed in terms of millage with one mill equal to \$1.00 per thousand dollars of taxable value. Prior to Proposal A, all property was taxed based on the State Equalized Value (SEV), which generally represents one-half of the true cash value. Proposal A limits the growth in value attributed to market change to the lower of the increase of 1.5% in the Consumer Price Index (CPI), or 5% of the actual change in value. The one exception is for properties changing ownership, which takes the taxable value back up to the SEV.

It is now easier for new property owners and the City to evaluate the impact of changes in tax rates. Prior to Proposal A, limitations were calculated on a



Socio-economic Profile

jurisdiction-wide basis rather than a parcel-by-parcel basis. Previously, citywide averages had some properties having a major increase in SEV, which was offset in reductions for other property owners.

The Headlee Amendment continues to reduce the amount of operating millages allowed by the City. This amendment limits the growth in property tax revenue from existing property to the rate of inflation. It accomplishes this by reducing millages proportionally by the amount that market changes exceed the increase in the CPI.

The 2006 SEV for the City is \$428,713,110 with the Taxable Value at \$357,306,468. This breaks down into the following classes:

	Ad Valorem
Residential	250,200,566
Commercial	76,714,199
Industrial	27,037,469
Utilities	3,354,234
Total	357,306,468

The tax millage rate for 2005 was 36.494 for Homestead and 54.494 for Non-Homestead. Residential homes that are not primary residents of the owner, commercial, and industrial parcels pay the Non-Homestead rate.



Socio-economic Profile

Education

Schools are among the most important of all the various types of public facilities provided at the local level. The significance of schools lies not only in the services they provide, but also in the fact that they represent the largest capital investment of any facility provided at public expense. In addition, the influence of school location on land use and traffic patterns is substantial. It is important that future school facilities be closely coordinated with future city developments and capital improvement programming.

The neighborhood school concept is a priority within the community and should continue to be the basis for all elementary school facilities. The value of the neighborhood school goes beyond simple convenience and accessibility. The elementary school represents a focal point for a neighborhood and can serve as the location for many programs and activities other than school classrooms - from community centers to recreational resources.

St. Joseph's public school system consists of a preschool (PK-KG), three elementary schools (grades 1-5), one

middle school (grades 6-8), and a high school (grades 9-12). The City is also home to five parochial schools. Lake Michigan Catholic Schools were named one of the top 100 Catholic Schools in America. There are six universities with over 2,000 students in the surrounding area for advanced education.

According to the Michigan Department of Education and the St. Joseph School District, the Michigan Educational Assessment Program (MEAP) results indicate that St. Joseph students' scores remain stable and well above the State of Michigan averages. The Composite Grade under Education YES! And the AYP Status and Improvement Phase under the No Child Left Behind Act for all schools within the district was an "A" score. Statistics from the 2000 Census shows that the educational attainment levels for St. Joseph residents above the age of 25 were higher than other communities within the area, the county and the state. This is a testimonial of the quality of the education system within the district.



Socio-economic Profile

Table 21
Educational Attainment
City of St. Joseph, 2000

Place	High School Graduate or Higher	Bachelor's Degree or Higher
City of St. Joseph	89.7%	32.3%
Benton Harbor	60.5%	4.2%
Holland	78.5%	26.9%
New Buffalo	84.1%	17.3%
South Haven	81.5%	22.2%
Berrien County	81.9%	19.6%
State of Michigan	83.4%	21.8%

Source: U.S. Bureau of Census

Projection of Future Enrollment

Using the cohort-survival method to narrow down uncertainties within their calculation, the School District is predicting a decrease in enrollment of about 340 pupils over the next five years. This parallels the projected population loss that the community is expecting within the same time period. One element that may provide

forecast error within the enrollment study may be the School of Choice Program. The School of Choice Program allows other students outside the district to attend St. Joseph Schools and with the higher levels of education provided within the district, this could contribute to an influx of new students despite the community's loss in population.



Socio-economic Profile

Table 22
Most Likely Five-Year Forecast by Grade
City of St. Joseph, 2006

Year	Grade Level													Total
	K	1	2	3	4	5	6	7	8	9	10	11	12	
98-99	164	196	207	204	203	223	194	254	241	232	225	235	232	2810
99-00	177	173	188	216	199	221	239	211	242	266	237	219	233	2821
00-01	142	199	167	190	213	196	234	242	220	268	253	227	224	2775
01-02	176	154	201	178	197	226	203	235	247	243	266	251	231	2808
02-03	187	198	158	197	184	206	235	217	243	268	241	259	265	2858
03-04	167	176	206	154	192	183	213	248	227	272	262	233	262	2795
04-05	149	183	181	211	153	186	191	211	252	237	263	259	241	2717
05-06	149	158	186	182	210	154	193	196	216	273	231	257	265	2670
06-07	144	158	161	188	182	212	160	199	201	234	267	226	264	2596
07-08	140	153	161	163	188	184	221	165	204	218	229	261	232	2519
08-09	137	149	156	163	162	189	192	227	169	221	213	224	268	2470
09-10	134	146	152	158	163	164	197	197	233	183	217	209	230	2383
10-11	132	143	149	154	158	164	171	203	202	253	180	212	214	2335

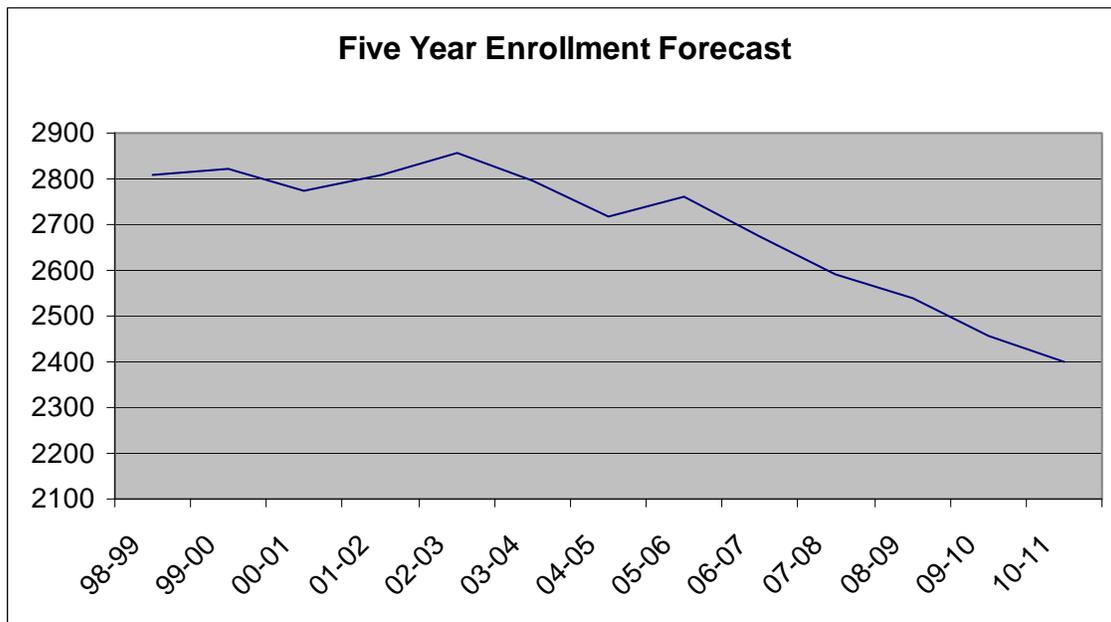
Revised Based on 05-06 Actual Enrollment

05-06	181	164	189	178	217	155	208	201	224	268	237	261	277	2760
06-07	144	190	167	191	178	219	161	214	206	242	262	232	268	2674
07-08	140	153	193	169	191	180	228	166	219	223	237	256	238	2593
08-09	137	149	156	195	168	192	188	234	170	236	218	232	263	2538
09-10	134	146	152	158	195	170	200	193	240	184	232	214	238	2456
10-11	132	143	149	154	158	196	177	206	198	260	181	227	219	2400

Source: St. Joseph Schools Director of Curriculum and Instruction



Socio-economic Profile



Socio-economic Profile

City Hall, Police and Fire Protection

St. Joseph City Hall is located at 700 Broad Street in downtown St. Joseph. City Hall houses the offices of the City Manager, the Clerk and Treasurer, the Assessor, the Community Development Office and Purchasing, Engineering, Personnel, Zoning Administration, Inspection and various support personnel. A decade ago, City Hall was located at 620 Broad Street and connected to the, then, Fire Station. This original structure was built in 1913 and did not accommodate current needs such as handicap accessibility. Just before the City Hall relocation, the Fire Department moved to a new facility at the corner of Broad and Wayne Streets. The new Fire Station hosts a three-bay fire truck garage with full-time on duty firefighters as well as reserve on-call firefighters.

Recent survey results indicate residents are very happy with the treatment they have received from city staff as well as the services from the police and fire department. Correspondingly, residents do not see a need at this time to increase revenue to the police and fire departments.

Water

The City of St. Joseph owns and operates a municipal water system that includes a Lake Michigan Water Treatment Plant. The Water Treatment Plant is located at 1701 Lions Park Drive, at the south end of Lions Park Beach. Lake Michigan is the source and the plant uses a complete treatment scheme that includes chemical addition: coagulation/flocculation/sedimentation and filtration.

The chemicals used to treat Lake Michigan water are: Chlorine for disinfection; Alum for coagulation; and Fluoride for children's teeth. The plant can produce a maximum of 16 Million Gallons per Day (MGD) and averages roughly 5.6 MGD with swings in rates from 4.0 MGD in the winter months to 10+ MGD in the summer months.

The original City water system had a Lake Michigan pumping station that pumped water directly to a standpipe and the City residents. This plant was built in 1892 and served until 1931. In 1931 the City of St. Joseph built a conventional water filtration plant that could produce up to 4 Million Gallons per day (MGD) and pumped to the City's distribution system. In 1957, the City expanded the treatment plant to 8 MGD capacity. The features of this plant included an Infilco up-flow solids contact basin instead of the traditional set of 3 chambers, one each for rapid mixing of Alum coagulant, flocculation and settling; a new Lake Michigan intake pipe and crib that is 1500 feet long and in 20 feet of water; and a new 20-inch distribution main to serve the industrial district on the north side of the St. Joseph River. Some time in the 1950's the standpipe was removed from the distribution system and the water was pumped direct to the residents. In the mid to late 1960's the City worked with Whirlpool Corporation to build a 750,000 elevated water storage tank. The Whirlpool Corporation contributed to the construction and took 1/3 of the storage for their fire protection system. The remaining 2/3 of the water storage was then available to the system. This contractual arrangement stayed in



Socio-economic Profile

effect until the late 80's when the tower needed painting and the pipe that split the storage system was removed.

In 1969 the City of St. Joseph entered into a water agreement with 2 area townships and 2 villages, St. Joseph Charter Township and Lincoln Charter Township, including the Villages of Stevensville and Shoreham, to form a water authority, named the Lake Michigan Shoreline Water & Sewer Treatment Authority, (LMSW&STA). The City signed an agreement to provide complete water service to the townships and a water supply of up to 10 MGD. Both townships then constructed a water distribution system to their residents that also included a 1.5 million gallon ground storage tank and pump station on Marquette Woods Road. Eventually Royalton Township joined this Authority and is also served by the City of St. Joseph.

In 1973, the City of St. Joseph began construction on the next water plant addition that brought the capacity up to 16 MGD. The main features of this plant included: 2 6-MGD up-flow solids clarifiers; 4 2-MGD rapid sand filters; a 30-inch raw water pipe into the plant from the raw water well with associated pumps and appurtenances; conversion to all liquid chemical storage and feed systems; and a 30-inch high-pressure main with associated pumping and appurtenances for the distribution system.

Today the water plant can produce up to 16 MGD. The City has approached that number on several occasions, including: June of 1988; July of 1999; July of 2002 and June of 2005. In the

spring of 2004, the City and Authority Townships agreed upon a sprinkler water restriction based upon street address and odd or even day of the month. This restriction is in place and will likely stay in place until water treatment plant and distribution improvements are made. Reservoir capacity in both the City and the Authority areas needs to be increased and studies are underway to correct this. The Lake Michigan water intake will need to be replaced soon due to many factors such as low lake levels, St. Joseph River influences, sand movement, icing, and increasing demands and regulations for improved water quality. Major components at the treatment plant will need repair/replacement so the City has initiated a study to determine the best method to accomplish the task as well.

In 2002, the City of St. Joseph signed a water contract with the Authority. This contract is similar to the one signed in 1969 with the main exceptions that the new contract required the Authority to construct distribution system improvements such as water towers. And, the contract also allows for the expansion of the water treatment plant, but places financial burden not solely on the City Water Fund, but also on the party who may initiate such expansion. The agreement is for 25 years.

The City of St. Joseph still has principal responsibility of the water system service, including maintenance, billing, and meeting water quality regulations and testing. The contract has assigned an expanding role in water system management to the Authority and the



Socio-economic Profile

3 townships. Today, this water system serves the 8789 City residents with 3,697 accounts. The City serves the residents of the Authority area townships with 2,951 accounts in St. Joseph Charter Twp; 4,912 accounts in Lincoln Charter Twp; and 750 accounts in Royalton Twp.³

Wastewater

The municipal wastewater treatment plant is located on the middle, eastern portion of Marina Island, within the City of St. Joseph. St. Joseph has a gravity flow sewer that was originally constructed in the early 1950s in conjunction with the treatment plant and Benton Harbor's gravity sewer system. In addition, a 20-inch force main was constructed in 1976.

A modified activated sludge process for secondary treatment is used to treat the area's wastewater. Anaerobic digestion is used to stabilize the sludge and land application of biosolids for beneficial reuse on agricultural lands is utilized for solids recycling. Phosphorus removal is performed by chemical precipitation. The plant was designed to provide 90% removal of suspended solids and biological oxygen demand (BOD), and 90% removal of phosphorus. The plant is designed to process an average wastewater flow of 15.3 million gallons per day (mgd) with a maximum daily wastewater flow of 23.5 mgd. The peak hydraulic capacity of the plant is 30.0 mgd. The plant design is also based on a raw wastewater suspended solids load of 28,200 lb/day and biological oxygen demand (BOD) of 37,950 lb/day.

The treatment plant is well maintained and consistently provides quality treatment at an affordable cost. Currently, the treatment plant has sufficient capacity to service the needs of residents. Projections indicate that in 2016 the plant will be able to adequately handle the average daily wastewater flow but peak wet weather flows could exceed the plant's current capacity. A Strategic Capital Improvement Plan (SCIP) was developed in 2004 and identifies recommended improvements and renovations necessary to meet facility treatment capacity and reliability requirements through the year 2016. Approximately \$25,000,000 in funding will be required over this period to fund the projects identified in the Capital Plan. The first project in the Plan to be addressed includes the installation of an additional raw wastewater influent pump and associated electrical upgrades. This will enable the plant to meet peak hourly flow demands. The plant is currently engaged in an approximate \$9,000,000 improvement project that includes additional outfall capacity and the elimination of gaseous chlorine in favor of a liquid agent to be utilized in the disinfection process. This will result in a safer facility with reduced exposure to liability and hazards associated with gaseous chemicals. The current project is scheduled for completion in the second half of 2007.

The City of St. Joseph, Benton Harbor, Benton Charter Township, Lincoln Charter Township, Royalton and Sodus Townships, and the Villages of Stevensville and Shoreham utilize the combined treatment plant. Each community is responsible for maintain-



Socio-economic Profile

ing its own sewers. Since 1999, the City of St. Joseph has undergone significant reconstruction of its sewer lines as part of the separation of the combined sewer and storm water drainage system. This separation is near 100% completion.⁴

Electricity

Indiana-Michigan Power (I&M) provides electricity services to the City of St. Joseph and its residents. Indiana-Michigan Power Company's parent company, American Electric Power (AEP), is one of the largest electric utilities in the United States and delivers services to more than five million customers in 11 states, including Michigan.

AEP owns nearly 36,000 megawatts of generating capacity in the United States. In addition, AEP owns the nation's largest electricity transmission system, a nearly 39,000-mile network that includes more 765 kilovolt extra-high voltage transmission lines than all other U.S. transmission systems combined. AEP's utility units locally operate Indiana - Michigan Power, which services the greater St. Joseph area.

The majority of the electricity is generated in coal burning plants. In addition, Cook Nuclear Power Plant, located in Bridgman, Michigan, generates over one-third of the electricity. The Cook Nuclear Power Plant is located on 650 acres of Lake Michigan's shoreline. Since beginning its operation in 1975 through 1998, Cook Unit 1 is one of the leading nuclear

power generators in the nation, producing 143,000,000-megawatt hours.⁵

Natural Gas

Michigan Gas Utilities (MGU) provides natural gas services to the City of St. Joseph. In total, Michigan Gas Utilities serves 162,000 southern and western Michigan customers. MGU operates in 12 counties and 147 communities including those in and around Benton Harbor, Grand Haven, Otsego, Coldwater and Monroe. In April 2006, Michigan Gas Utilities Corporation changed hands when Green Bay, Wisconsin-based WPS Resources Corporation (NYSE: WPS) acquired Michigan Gas Utilities from Aquila, Incorporated for approximately \$315 million for natural gas distribution in Michigan. Michigan Gas Utilities' annual natural gas throughput is approximately 36 billion cubic feet per year.⁶

Transportation and Average Daily Traffic Trends

St. Joseph's population has been decreasing, and as a result some decreased traffic volumes have resulted in the downtown and southwestern portions of the City. Traffic count stations operated by the Michigan Department of Transportation (MDOT) have been monitored and documented since 1980. Average Daily Traffic Counts for 1980, 1985, 1990 and 2004 are found on **Map 4**. While traffic volumes have decreased as stated above, they have increased in the southeast portion of the City along Niles Avenue and at the BR-94/Wayne



Socio-economic Profile

Street River crossing into Benton Harbor. Growth in the southeast portion of the City can be attributed to continued development of commercial district along the M-63 / Niles Avenue Corridor.

Stations C & D (**Map 4**) located on Business Loop I-94 between Main Street and St. Joseph River show the largest decrease in traffic of 21% during the 14-year period. In addition, Stations E & F, located on Main Street near Pleasant Street and Jones Street, respectively, decreased by 13%. Station G, located on Niles Avenue just south of Main Street, decreased by 19% and Stations K & L, located on Lakeshore Drive north of Hilltop Road, decreased by 17% and 13%, respectively.

Traffic increases were seen at Stations A, B, H, M, N, and O. The most dramatic increase, occurred at Station B located on I-94 Business Loop at the St. Joseph River with an increase of 67%. The other river crossing at Station A (on M-63) showed an increase in traffic of 20%. The other large increase in traffic was seen at Station N located on Niles Avenue north of Hilltop Road (45%). The 2004 traffic counts showed the largest traffic volume at Station M (M-63 just north of Washington Avenue) with 27,100 vehicles per day. Previous traffic counts at this station showed 20,000, 22,800 and 26,500 vehicles per day for 1980, 1985 and 1990, respectively. This highest traffic count corresponds with the same results in 1990.

Transportation and the National Functional Classification

As residents of a community, people know from experience which roads are local and which roads are used to travel to adjacent or distant communities. The same idea has been used by the United States Department of Transportation to classify street systems. There are essentially three (3) types of street classifications with variations for each classification. Arterial streets are designed to maximize mobility through limiting access and maximizing speed. Local streets are designed to maximize access by limiting speed and maximizing access. Collector streets are meant to act as a "bridge" between the two (2) other types of streets. **Map 4** shows the national Functional Classification for St. Joseph. The Major Arterial Streets are M-63, Niles Avenue, Lakeshore Drive, Napier Avenue, Wayne Street and portions of Port and Ship Street. The Minor Arterial Streets include Hilltop Road, Cleveland Avenue, Lakeview Avenue, Lake Boulevard, Langley Avenue, Broad Street and Ship Street. Collector Streets include Hawthorne Avenue, Wallace Avenue, Kingsley Avenue, Wolcott Avenue, Lake Street, Lions Street and Upton Drive. The remaining streets are all classified as Local Streets.

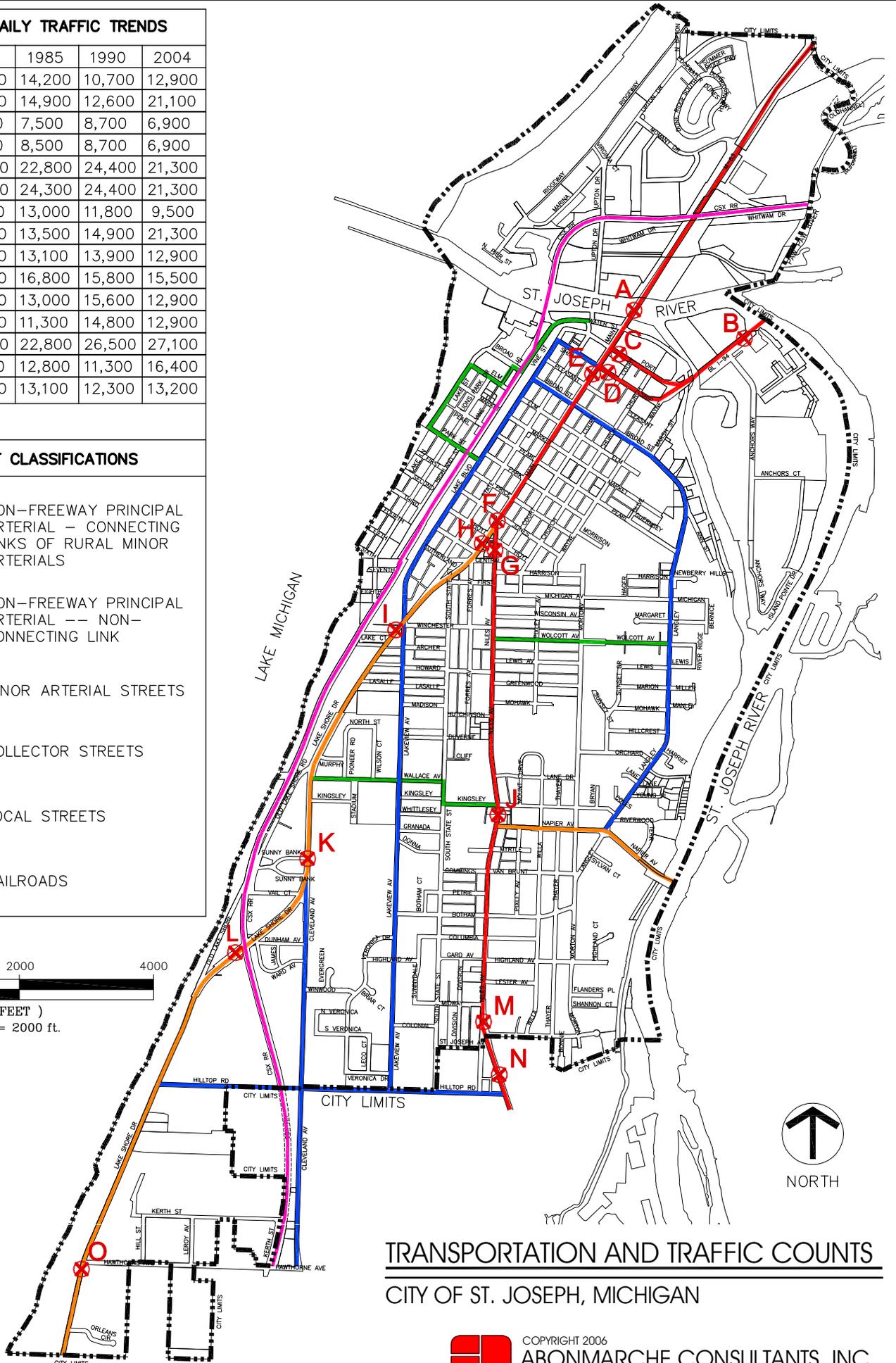
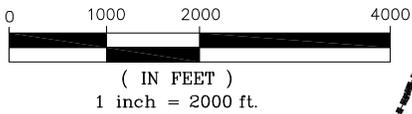


AVERAGE DAILY TRAFFIC TRENDS

STATION	1980	1985	1990	2004
A	13,000	14,200	10,700	12,900
B	18,000	14,900	12,600	21,100
C	9,000	7,500	8,700	6,900
D	8,800	8,500	8,700	6,900
E	23,000	22,800	24,400	21,300
F	22,000	24,300	24,400	21,300
G	11,000	13,000	11,800	9,500
H	12,800	13,500	14,900	21,300
I	12,500	13,100	13,900	12,900
J	16,000	16,800	15,800	15,500
K	12,000	13,000	15,600	12,900
L	12,500	11,300	14,800	12,900
M	20,000	22,800	26,500	27,100
N	11,000	12,800	11,300	16,400
O	13,700	13,100	12,300	13,200

STREET CLASSIFICATIONS

-  NON-FREWAY PRINCIPAL ARTERIAL -- CONNECTING LINKS OF RURAL MINOR ARTERIALS
-  NON-FREWAY PRINCIPAL ARTERIAL -- NON-CONNECTING LINK
-  MINOR ARTERIAL STREETS
-  COLLECTOR STREETS
-  LOCAL STREETS
-  RAILROADS



TRANSPORTATION AND TRAFFIC COUNTS
CITY OF ST. JOSEPH, MICHIGAN



Socio-economic Profile

Lakeland HealthCare- City of St. Joseph

Lakeland HealthCare is a not-for-profit, community-owned system of care serving the southwest Michigan region of Berrien, Cass and Van Buren counties. In addition to the three hospitals, the system includes walk-in clinics, long-term care, home care, laboratory and radiology services, rehabilitation and other services throughout the region. Lakeland also offers health, safety, wellness and prevention events, classes and programs throughout the year.

Lakeland Regional Medical Center in St. Joseph was built in 1951 (at that time it was known as Memorial Hospital) and expanded in 1969. In 1977, Memorial Hospital merged with Mercy Hospital in Benton Harbor to form the Southwest Michigan Health Care Association. Memorial Hospital was renamed the Mercy Memorial Medical Center in 1985. By 1990, all acute care services were consolidated to Mercy Memorial Hospital in St. Joseph.

Lakeland Regional Health System began in 1992, when Mercy-Memorial Medical Center Inc., located in Benton Harbor/St. Joseph merged with the Pawating Hospital Association located in Niles. Those two hospitals, now known as Lakeland Hospital, St. Joseph and Lakeland Hospital, Niles, are the heart of the system today, along with Lakeland Specialty Hospital (formerly Berrien General Hospital), which joined Lakeland in 1994. The main outpatient facility, the Lakeland Center for Outpatient Services was completed in 2002. Together, these facilities have provided a total of more than 260 years of service to their

communities. Today, Lakeland has more than 3,000 associates and approximately 300 affiliated physicians.

Lakeland Regional Medical Center is a 254-bed regional medical center that provides southwest Michigan with comprehensive primary and specialty healthcare services to patients in all stages of life. Located on the banks of the St. Joseph River, Lakeland Hospital, St. Joseph combines state-of-the-art technology with patient-centered care to offer high-quality health and healing services to the southwest Michigan region. The community is provided with a full spectrum of services that includes the most innovative technologies and excellence in specialty care.

Some of the services offered at Lakeland Regional Medical Center include:

- Heart Center: Innovative interventional procedures in three state-of-the-art cardiac catheterization suites. The experts at the Heart Center specialize in the diagnosis and treatment of heart disease, including cardiac surgery, catheterization, angioplasty, stents, atherectomy, echocardiograms, electrophysiology studies, stress cardioline, and other nuclear medicine applications. The Heart Center also offers a variety of community education topics to help prevent heart disease.
- Cancer care: full-service inpatient oncology/hematology and radiation oncology. The Center's capabilities include a full service radiation oncology department that features the newest in technologies for fighting cancer, such as a linear accelerator,



Socio-economic Profile

IMRT and prostate seed implants. Inpatient and outpatient care.

- Orthopedics: Lakeland's orthopedic team of surgeons, rheumatologists, radiologists, anesthesiologists, therapists, nurses and educators is expert in diagnosing and treating orthopedic conditions. Using advanced technologies and minimally invasive procedures, the team provides comprehensive treatment that may help patients return to the activities they enjoy as quickly as possible.
- Imaging: The Radiology Department at Lakeland Regional Health System is committed to offering patients and physicians state-of-the-art imaging technologies – like CT scans, MRI, PET/CT scans and digital mammography, - with the highest standard in radiologic care. Lakeland's board-certified radiologists and specially trained radiologic technologists offer access to the most advanced diagnoses and minimally invasive interventional treatments available in a completely digital environment.
- Emergency Services: The full service emergency department offers 24-hour care and an ER physicians and clinical professionals handle the unforeseeable with skill and care.
- Critical Care and Progressive Care units: This 22 room unit features state-of-the-art monitoring equipment and around the clock coverage from physicians who specialize in the care of critical patients.

- Maternity Services: Lakeland's Birth-Place was designed to make the arrival of your little one the most comfortable and joyous experience possible. The BirthPlace's comfortable, family-centered birthing suites feature the latest in technology with plenty of space for families and their loved ones.

The facility also offers:

- Endoscopies
- Hemodialysis: acute and chronic
- Homecare services
- Laboratory and Pathology services
- Neurology and Neurosurgery
- Nuclear Medicine
- Outpatient Surgery
- Physical Medicine and Rehabilitation
- Pulmonary Function and Rehabilitation

The Inpatient Addition at Lakeland Regional Medical Center

Together, with members of the community, the medical center is designing an in-patient addition that focuses on the healthcare needs of the future.

Looking to the Future

Lakeland is investing \$71 million dollars in its St. Joseph campus to provide southwest Michigan with top-notch, full-service healthcare. Construction of the Inpatient Addition will be the largest financial commitment Lakeland has made on a single project in its history. The 138-bed, four-story inpatient addition will replace patient rooms built in 1950 and 1961. The new addition will feature mostly private rooms that are nearly 50



Socio-economic Profile

percent larger than current rooms. These new rooms are more conducive to patient comfort with a defined family area, patient zone and care-giver zone. The design of the building will incorporate research-based features that enhance recovery times and significantly improve patient safety. These larger rooms will have the ability to accommodate the newest medical technologies that will now be able to come to the patient. Each room will include a separate nursing area away from visitors with state-of-the-art technology.

Construction of the new additions began in late 2006. Completion of the Inpatient Addition is slated for November of 2008.

Maud Preston Palenske Memorial Library

The library serves residents of the City of St. Joseph and also the residents of St. Joseph Charter Township under a joint library agreement. It is a Class IV public library, serving a population of 18,831 residents. The Library also participates in the Michicard Program, which extends borrowing privileges to residents of other Michigan communities. While the library has been in existence since 1904, it has occupied the current facility since 1966. The building has had two additions, one in 1981 and another renovation and expansion in 1998-99. It now has over 26,000 square feet of space, including two public meeting rooms.

Annual circulation is approximately 198,000 items. The library has received "Essential" certification from the State of Michigan, the first level in a three-tier

quality services audit. The library director holds Level I professional certification. The staff of 22 (full time and part time) includes one additional MLS librarian, five Children's staff, and five adult staff, two technical services staff, six pages, and two support personnel. Services include Internet access (eight computers for adults, six for children), wireless Internet, public telephone, photocopying, and facsimile. The library's catalog is searchable online, and patrons can access their own accounts from any computer. The collection contains over 112,000 items in all formats, including audio books, music CDs, DVDs and nearly 200 periodicals. Daily newspaper subscriptions include The Herald-Palladium, Detroit Free Press, Kalamazoo Gazette, South Bend Tribune, Chicago Tribune, New York Times, Wall Street Journal, and Investors Business Daily.

Programming for all ages takes place on a continuing basis. Examples of programs include: Pre-school story times, Summer Reading for all ages, book clubs, author visits, special interest groups (e.g., Chess, Knitting, Scrabble), Music in the Garden. Early literacy outreach efforts touch the WCA pre-school, Tri-County Head Start, and Riverside School. Friends of the Library Group provide funding for special projects through their annual Used Book Sales. The library holds memberships in the Southwest Michigan Library Cooperative, the Michigan Library Association, and the Berrien Library Consortium. The Director holds an individual membership in the American Library Association.



Socio-economic Profile

Churches

Places of worship are an important foundation of all communities. The

following table lists churches within and around the St. Joseph area.

**Table 22
Churches
City of St. Joseph, 2006**

Church	Location
The Chapel, an Evangelical Free Church	4250 Washington Avenue
First Church of the Nazarene	3351 Niles Road
Trinity Lutheran Church	613 Church Street
Arden United Methodist Church	6891 North US 31
Christian Reformed Church of St. Joseph	3275 Washington Avenue
Church of Christ	3550 Niles Road
Church of Jesus Christ of Latter-Day Saints	395 Jakway Avenue
First Baptist Church	902 Broad Street
First Church of God-Anderson Indiana	2627 Niles Avenue
First Church of the Nazarene	3351 Niles Road
First Congregational Church of St. Joseph	2001 Niles Avenue
First United Methodist Church	3003 Leco Court
Grace Lutheran Church	404 East Glenlord Road
Lakeshore Christian Church	5565 Washington Avenue
New Life Baptist Church	3265 South Cleveland Avenue
Niles Avenue Baptist Church-SBC	1301 Niles Avenue
Oakridge Baptist Church	766 Oakridge Drive
Peace Lutheran Church ECLA	3590 Lincoln Avenue
Pilgrim Congregational United Church of Christ	1200 West Glenlord Road
Riverview Park Christian Church	2929 Niles Road
Road To Life Church	3800 Niles Road
St. Joseph Catholic Church	220 Church Street
St. Joseph Seventh Day Adventist	1201 Maiden Lane
St. Paul's Episcopal Church	914 Lane Drive
St. Peter's Church	623 Church Street
Saron Lutheran Church - ELCA	510 Main Street
Scottdale United Methodist Church	4271 Scottdale Road
Stevensville United Methodist	5506 Ridge Road
Trinity Lutheran	619 Main Street
Washington Avenue Church of God	4051 Washington Avenue
Zion Evangelical United Church of Christ	3001 Veronica Drive

Source: Yellow Book



Socio-economic Profile

Recreational Facilities

St. Joseph has a number of very successful parks and recreational areas within City limits. A variety of recreational activities are present at the various facilities, from the beachfront to non-motorized pathways to the skate park and the ice rink. St. Joseph completed their update to the Michigan Department of Natural Resources (MDNR) Recreation Plan on March 27, 2006. The Recreation Plan is current through 2010, at which time the Recreation Plan will be due for another update according to MDNR requirements for potential future funding.

In addition to outdoor recreational facilities the community benefits from the YWCA of Southwestern Michigan, located downtown St. Joseph, as well as the Benton Harbor-St. Joseph YMCA Family Center. Both facilities house a variety of fitness equipment and activities as well as a childcare facility at the YWCA facility.

Below is a current and complete listing of all outdoor recreational facilities owned or operated by the City of St. Joseph. All facilities are within the city limits with the exception of Riverview Park, located just south of town.

Table 24
Recreational Facilities
City of St. Joseph, 2006

Facility	Facility Type	Acres	Service Area
Tiscornia Park	Community Park	16.0	County
West Basin Marina	Special Use	7.96	Region
Bluff Park	Natural Resource Area	7.34	Community
Upton Arboretum	Natural Resource Area	2.3	Community
Old St. Joseph Neighborhood Park	Mini-Park	0.17	Neighborhood
Point Park	Mini-Park	0.3	Neighborhood
John and Dede Howard Family Recreation Path	Park Trail (multi-purpose, hard-surfaced)	4.5	Community
John & Dede Howard Ice Arena	Ice Skating Facility	N/A	Community
Boat Launch	Special Use	3.0	County
Lions Park Beach	Community Park	17.22	County
Kiwanis Park	Community Park	19.2	Community
Dickinson Park	School-Park	8.39	Community
Milton Park	Neighborhood Park	2.24	Neighborhood
Lookout Park	Natural Resource Area	14.5	Community
Whittlesey Park	Special Use	2.64	County
Tiny Tots Park	Mini-Park	0.45	Neighborhood
Riverview Park	Large Urban Park	107	Community

Source: City of St. Joseph 2006-2010 Recreation Plan



Socio-economic Profile

According to the Spring 2006 Public Survey results, residents of St. Joseph commented very favorably about the recreational opportunities in St. Joseph. Residents also indicated they do not want to spend their tax dollars on the acquisition of new and additional parklands. Residents expressed a desire to continue to upgrade the existing facilities.

Marinas

Waterfront recreation is very much a part of St. Joseph life. The City of St. Joseph is home to many public and private boat launch facilities, as well as proximal to many more. Below is a current inventory of marinas within the city limits as well as those in close proximity.

Table 25
Marinas
City of St. Joseph and Surrounding Areas

Name	Number of Slips
Brian's Marina	180
Harbor Isle Marina	195
Pier 33: East	44
South	127
West	49
Waterfront Marina	53
West Basin Municipal Marina	92
Shoreview Condominiums	116
Island Pointe Marina	116
Total	972
Eagle Pointe Marina	503
New Harbor Marina	56
Pier 1000 Marina	221
Total	780
Grand Total	1752





Existing Land Use

Existing Land Use

Introduction

In order to thoroughly plan for appropriate future land uses throughout the City, a clear understanding of the existing land use patterns and relationship between these uses must be achieved. Such an understanding establishes the foundation on which decisions are made regarding proposals for future uses of residential, commercial, industrial, and institutional or civic. The Existing Land Use Map and acreage tabulations, which are included in this section of the Plan, will serve as a reference for the City in its consideration of land use management and public improvements.

Preparation of the Map

A computer-generated base map for the City was developed using existing digital information provided by the City Department of Zoning Administration. Existing land uses were derived from a parcel-by-parcel study of all lands within the city limits. That which exists on the land today defines land usage. Land use categories include single-family residential, multi-family residential, commercial, industrial, institutional, and vacant. The map also includes the City boundary line, street names, water bodies, and property lines. Land use acreages were derived from this map.

Land Use Analysis

The City of St. Joseph encompasses a total area of 2,688 acres, or approximately 4.2 square miles. The City is laid out on a skewed grid system north of Harrison Avenue to the St. Joseph River, if extended west and east to bisect the

City. This skewed grid is parallel to the Lake Michigan shoreline, which defines the western city limit line. South of Harrison Avenue, the City is primarily a tradition grid system with Lake Shore Drive following the shoreline of Lake Michigan to the west and Langley Avenue following the St. Joseph River shoreline to the east. Single-family residential is the predominant land-use within the City and is dispersed throughout the City. The description and areas of each land use classification are as follows:

Single-Family Residential

This classification includes single-family detached dwelling units. North of the St. Joseph River, single-family land uses exist along Ridgeway Drive and the newest single-family residential development in the City, Edgewater Dunes. A majority of the land usage south of the St. Joseph River and the Central Business District is single-family residential. As the largest land use classification in the City, this classification accounts for 605 acres or 22.5% of the City's total area.

Multi-Family Residential

This classification includes two or more residential units. Multi-family accounts for apartment complexes, condominium developments, and those structures that have been converted from a single-family residential use. These uses are located sporadically throughout the City with the condominium developments primarily located along the Lake Michigan or St. Joseph River shorelines. The largest apartment complex is Westview Apartments and is located



Existing Land Use

along Lake Shore Drive, across from the St. Joseph High School. This classification accounts for only 97 acres or 3.6% of the City's total area.

Commercial

Commercial land uses include retail sales and services, offices, and businesses other than industrial. The two primary commercial areas are the downtown area and the Niles Avenue Corridor. While the downtown area includes many "mom and pop" type locally owned businesses, the Niles Avenue Corridor runs north and south in the southern one-half of the City and includes many of the larger chain retailers, restaurants, and strip developments. Corridors similar to Niles Avenue are present in most communities. Other large commercial areas include the area to the northwest of Hilltop Road and South State Street, which includes Leco Corporation, and a new office park development located north of the St. Joseph River within the Edgewater Development. This classification accounts for 296 acres or 11.0% of the City's total area.

Industrial

Industrial land usage includes manufacturing and some of the marina related uses. Manufacturing is primarily located within the southwestern region of the City, on Marina Island, and immediately west of Marina Island along the eastern St. Joseph River shoreline. This classification accounts for 188 acres or 7.0% of the City's total area. A total of 47 acres of the 188 acres or 25% of industrial land is for

marina related uses. However, this total does not account for the entire marina related uses in the City. Some marina related uses are classified as commercial, single-family residential or multi-family residential, depending on the primary land use of the adjacent properties.

Institutional

This classification includes properties used for governmental offices, schools, churches, the police and fire stations, and related uses. Three of the largest institutional uses are the St. Joseph High School, Joint Sewage Treatment Plant located on Marina Island, and the Lakeland Healthcare Complex. This classification accounts for 193 acres or 7.2% of the City's total area.

Vacant

This classification includes parks, natural woodland and vegetated areas, undeveloped properties, street and railroad rights-of-way, and several areas along the Lake Michigan and St. Joseph River shoreline for which no other classification was identified.

The largest areas within this classification are located along the Lake Michigan shoreline, which include, among others, private and public beaches including Silver Beach, Lions Park, Tiscornia Park along M-63 north of the St. Joseph River, and Kiwanis Park including the wooded area and ravine extending the southwest. All parks and beaches within this classification account for 148 acres or 5.5% of the City's total area. All other areas within this classification, excluding parks and beaches, account



Existing Land Use

for 997 acres or 37.1% of the City's total area. A total of 204 acres or 17.8% of the vacant land is undeveloped property or natural woodland and vegetated areas.

Bodies of Water

Much of the eastern city limit line extends to the center of the St. Joseph River. Therefore, the Bodies of Water classification has been included to

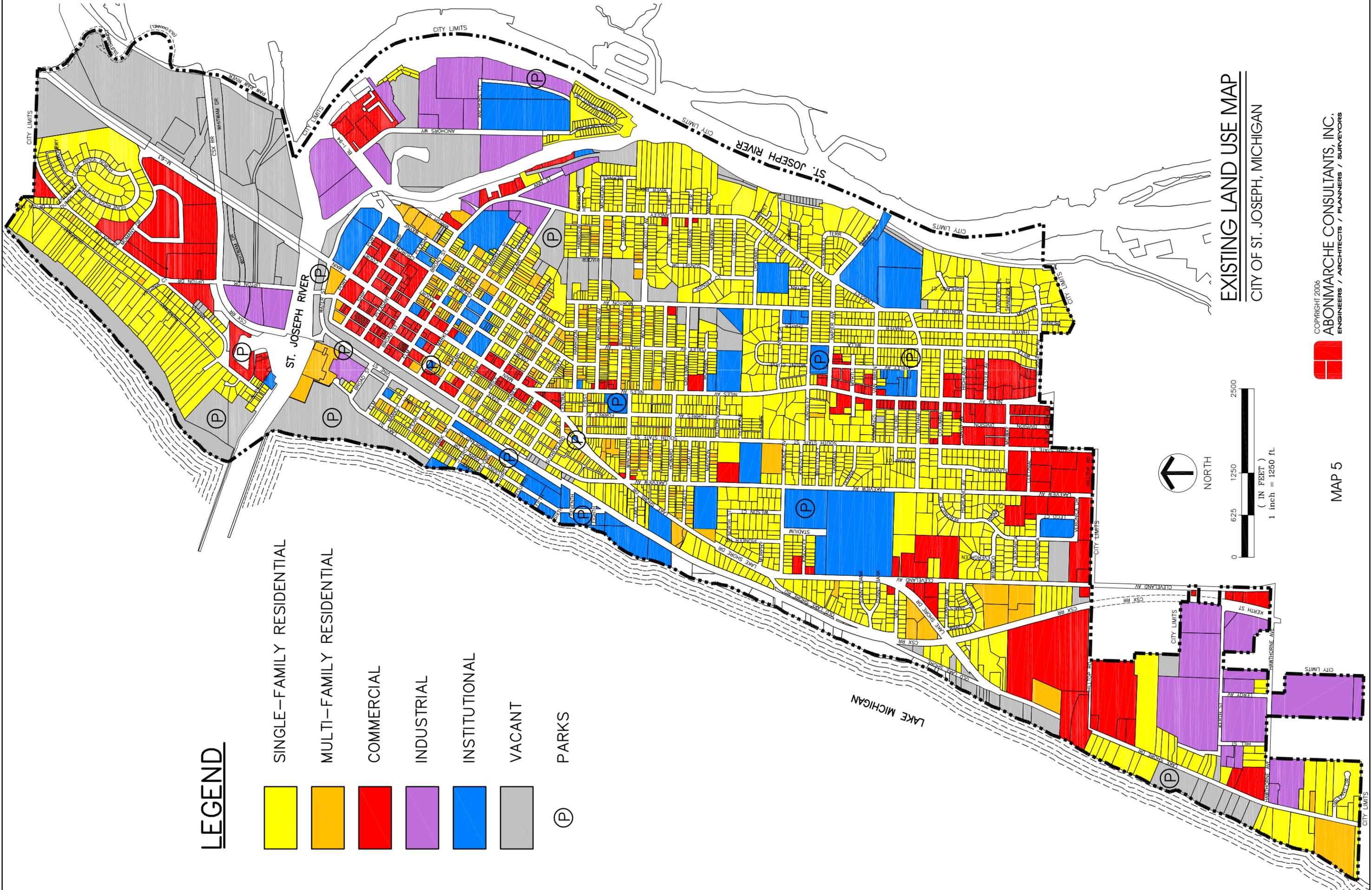
identify the approximate acreage that excludes landmass.

This classification only includes the portions of the St. Joseph River, from shoreline to river centerline, that are located within the City limits. There are approximately 164 acres or 6.1% of the City's total area, which encompasses the River.

Table 26
Existing Land Use Acreage and Percentages
City of St. Joseph, 2006

Land Use Classification	Acres	% of Total
Single-Family Residential	605	22.5
Multi-Family Residential	97	3.6
Commercial	296	11.0
Industrial	188	7.0
Institutional	193	7.2
Vacant		
Parks	148	5.5
Undeveloped / Natural	204	7.6
Rights-of-Way	793	29.5
Bodies of Water	164	6.1
Total	2,688	100.0





LEGEND

- SINGLE-FAMILY RESIDENTIAL
- MULTI-FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- INSTITUTIONAL
- VACANT
- P PARKS



NORTH



(IN FEET)
1 inch = 1250 ft.

EXISTING LAND USE MAP

CITY OF ST. JOSEPH, MICHIGAN



Public Participation

Introduction

The Public Participation Process provides the foundation upon which future community goals and objectives are formed. As part of the Plan update, extensive public input was gathered through a variety of methods so as to maximize citizen opportunity for participation. Meetings were facilitated and surveys conducted for the general public to voice their impressions, concerns and visions for the future of their community.

As part of the public participation process, a series of workshops and forums were conducted to gather a complete data set. The series included a general public forum and three key personnel workshops. Each meeting consisted of an in-depth question and answer session on how participants interpreted current trends in growth, socio-economics, schools, housing stock, and more, as well as the overall state of the City. In addition, participants were asked to identify goals and objectives for maintaining and enhancing their community over the upcoming five to twenty-plus years.

A workshop was also held with members of city staff to identify priorities from an administrative and business management perspective. Staff members were able to keenly identify and support the priorities and needs of residents, merchants and community stakeholders.

Additionally, Abonmarche Consultants routinely met with City Commissioners as well as participated in monthly meetings with the Planning Commission.

A public hearing was conducted at project completion.

2006 Citizen Survey

Among the most valuable of resources was the distribution and tabulation of an in-depth citizen survey. The survey was distributed in May 2006 to all registered voters. Well above statistical requirements for valid results, a 20.5% response rate was generated. One thousand two hundred twelve (1,212) registered voters completed and returned their surveys for tabulation and analysis. This equates to roughly 14% of the overall City of St. Joseph population. A complete copy of the survey can be found in the appendix of this report.

Summary of Survey Demographics

Of those who completed and returned the survey, the vast majority of respondents (86%) were homeowners of single-family detached housing. Residents who have lived in the community from one to five years responded in the greatest number (18%), closely followed by those who have resided in the community between 16 and 25 years (16%).

The age of roughly one-half of the respondents was over the age of 55 years - with 21% of respondents between the ages of 55 and 64. Household income between \$50,000 and \$99,000 accounted for 32% of the respondents. Family make-up consisted of 35% of respondents including family members 65 years or older; followed at a distance by children under 12 years of



Public Participation

age (16%), and teenagers 13 to 17 years of age at 11%.

Survey demographics closely follow 2000 Census demographics, such as median income and household make-up. However, the bulk of the participants represent an older population than that of the overall City population. Although, the ages of 55 to 64 account for only 8.6 of the City's population, they completed the most surveys of any age group at 21%. Correspondingly, age distribution indicates that residents 55 years and older account for 26.8% of the population; conversely, that same age group accounts for approximately 50% of survey respondents. This, however, is not uncommon due to contributing factors, such as older populations tend to have an increased vested interest in the community and, therefore, are more likely to complete a lengthy survey. In addition, the elderly and retired population typically has more free time to complete a questionnaire. Finally, not all of the younger registered voter population may have felt it necessary to complete the survey if they are still residing at home with parents who may have completed the survey. Taking all of the above into account, we believe the survey results are valid but skewed towards the opinions of an older population.

Summary of Tabulated Survey Results

Quality of Life

The overall rating of the City of St. Joseph's quality of life for its residents was very high at 95% from good to excellent. This is a very positive baseline from which to start. Not far behind, 94% of respondents rated the community as a good to excellent place to raise children. Results are as follows:

Place to Raise Children

Rating	No. of Responses	%
Excellent	503	45.0
Good	544	48.6
Fair	66	5.9
Poor	6	0.5

This is consistent with residents' strong desire for an increase in new programs to attract additional young families to the community.

Furthermore, the majority of respondents (77%) rated the City of St. Joseph as a good to excellent place to retire.

The lowest rating concerns the young adult population. Only 59% of respondents rated the community as a good to excellent place for young adults to reside. Results are as follows:



Public Participation

Place for Young Adults

Rating	No. of Responses	%
Excellent	185	16.7
Good	470	42.4
Fair	336	30.3
Poor	117	10.6

This low rating leaves much room for improvement to accommodate this potentially viable, income producing population group that appears to be a hard fit within the community.

Overall, the majority of respondents (75%) did agree that they have a good to excellent Sense of Community within St. Joseph. Seventy-four percent (74%) of residents rated St. Joseph as fair to good at welcoming others. Improvements could be made to this category, considering the growing rate of tourism within the community.

Respondents gave the high rating of 86% for the community's overall appearance. Results are as follows:

Overall Appearance

Rating	No. of Responses	%
Excellent	364	31.9
Good	614	53.9
Fair	135	11.8
Poor	25	2.2
Don't Know	2	0.2

Cultural Opportunities

Residents have demonstrated an interest in the community continuing its efforts in public displays of art, beautification, continuing the operation of the welcome center and, overall, generating tourism

as a form of economic development. Seventy-one percent (71%) of survey respondents support aggressive marketing efforts to attract tourism to the community. However, residents also indicated a preference for the type of future tourism promoted in the community. Survey respondents indicated the need for "strong controls" placed on any new festivals or the expansion of any existing festivals.

Cultural opportunities are an important component and valued within the community. The majority of respondents (73%) indicated that the current level of cultural opportunities within the community, are good to excellent. Opportunities to shop within the downtown were also rated. The bulk of respondents (44%) felt that shopping was fair. Meanwhile, less than one-third (32%) rated shopping as good to excellent. Of those responses, only 4% identified shopping opportunities as excellent.

Residents were also asked the frequency of which they visit the downtown. Results are as follows:

Downtown Visits

Rating	No. of Responses	%
Daily	208	18.6
Weekly	545	48.7
Monthly	172	15.4
Once in a while	179	16.0
Don't Know	14	1.3

Survey results also indicate a need for additional parking within the downtown.

In addition, residents were asked to rate handicap accessibility within the



Public Participation

City. Accessibility for individuals with disabilities is rated as follows:

Rating	No. of Responses	%
Excellent	101	9.1
Good	383	34.3
Fair	215	19.3
Poor	50	4.5
Don't Know	366	32.8

Nearly one-third of respondents (32.8%) acknowledged they were not familiar with accessibility issues. However, overall results indicate room for improvement, not only to accommodate those with mobility issues but those residents and visitors pushing strollers along public rights-of-way in this ever-increasing tourist community.

Recreational Opportunities

Residents positively identified with current levels and trends in recreation.

Multiple comments were received from residents who viewed the quantity of public parks as sufficient overall. Residents would prefer to see tax dollars further improve the existing facilities rather than acquiring additional parklands.

Residents desire an increase in non-motorized pathways as well as enhanced connectivity to the downtown. Sixty-four percent (64%) of respondents would like to see the City of St. Joseph improve and/ or increase non-motorized pathways. A greater number of responses (59%) identified off-street paths as preferential to on-street paths (41%).

Existing non-motorized pathways received a rating of 70% as good to excellent.

Eighty-three percent (83%) of respondents rated the City of St. Joseph as good to excellent for ease of walking. Respondents, also, identified the community as predominately fair to good regarding the ease of bicycle travel. Results are as follows:

Rating	No. of Responses	%
Excellent	377	32.5
Good	586	50.5
Fair	153	13.2
Poor	26	2.2
Don't Know	18	1.6

Rating	No. of Responses	%
Excellent	142	12.5
Good	452	39.7
Fair	283	24.8
Poor	99	8.7
Don't Know	164	14.4

Residents identified Lions Park Beach as the park used most often. The Bluff, Tiscornia, and, then, Kiwanis followed in order of usage.

Residents repeatedly identified Milton Park as the park in most need of improvement. Milton Park is located off of Niles Avenue and surrounded by existing single-family residential. The park currently contains limited play equipment, primarily for younger children.



Public Participation

However, most of the park area is open space.

Income and Wealth

Current opportunities within the City regarding standards of living received lower marks. Only 21% of respondents rated employment opportunities as good to excellent. The majority of residents (43.2%) identified the City as fair. Results are as follows:

Employment Opportunities

Rating	No. of Responses	%
Excellent	39	3.5
Good	194	17.5
Fair	479	43.2
Poor	272	24.6
Don't Know	124	11.2

Respectively, citizens did not rate the access to affordable housing within the community as very high. Sixty-nine percent (69%) of respondents rated access within St. Joseph as fair to excellent. Reference below:

Access to Affordable Housing

Rating	No. of Responses	%
Excellent	54	4.8
Good	345	30.6
Fair	378	33.5
Poor	183	16.2
Don't Know	168	14.9

This appears to be consistent with market trends in housing within the city limits. Housing values are inflated due to the high demand for property as a limited resource in this waterfront community. Further exaggerating

trends in the market, is the limited ability for the City of St. Joseph to expand its boundaries due to Lake Michigan and St. Joseph River shoreline.

Planning for the Future

Residents indicated their preferences for the services currently provided, as well as the desire for maintenance increases or decreases in the future. As stated earlier in the demographic breakdown, the rentals account for 42.4% of the City's housing stock. Survey results indicate residents have a strong desire for increasing the current municipal property maintenance program as well as trying to reduce the number of rentals in town. Survey respondents rated the current property maintenance code enforcement as follows:

Property Maintenance

Rating	No. of Responses	%
Excellent	171	15.2
Good	530	47.1
Fair	221	19.6
Poor	101	9.0
Don't Know	102	9.1

Residents strongly identified the St. Joseph Community with its "small town charm". Citizens recognize tourism as an important aspect of community life and would like to see continued efforts in support of tourism as a means of economic development in the future. Survey results indicate residents have a strong desire for maintaining that "small town charm" by striking the proper balance between the needs of St. Joseph's residents and the tourists.



Public Participation

The St. Joseph community recognizes the value of its location, its attractive community, and its overall marketability for future developments. Survey results consistently stated that view preservation, particularly within the downtown area is of utmost importance. Residents are adamantly opposed to any future development that would obstruct the views of the waterfront or minimize the Bluff Park Vista.

Further supporting view preservation, residents desire to maintain as much greenspace as possible with the proposed Bluffside Development. The City's current proposed Bluffside Development includes the generous endowment from the Whitwam Foundation, Whirlpool Corporation and from the Gast, Schalon and Hanson families for the conservation of the area of land immediately below downtown's bluff. The proposed development would include passive uses such as a carousel and butterfly garden house. In addition, adjacent large open spaces may include pedestrian walkways, shade trees and a water feature. Each proposed use is sensitive to view preservation, while striking a balance between the preferences of residents and the attraction of tourists.

Survey results also identify 91% of respondents as supporting the restriction of development heights along Lake Boulevard. However, residents were able to make the distinction between developments along Lake Boulevard and potential developments away from the Bluff. Sixty-one percent (61%) of respondents support allowing taller developments away from Lake Michigan.

Consistent with the overall desire for improved and maintained aesthetics, survey results indicate residents would like to see an improvement in the appearance of Main Street. Residents also identified current efforts in downtown beautification, between Main Street and Lake Boulevard, have been very well received. Survey results are as follows:

Downtown Beautification

Rating	No. of Responses	%
Excellent	336	29.2
Good	598	52.0
Fair	133	11.6
Poor	35	3.0
Don't Know	48	4.2

The overall upkeep and appearance of neighborhoods were highly rated by residents. Eighty-one percent (81%) of survey respondents rated unkempt lots within neighborhoods as either no problem or a minor problem. Likewise, 82% of respondents viewed run down houses and buildings within their neighborhoods as either a minor problem or no problem at all.



Public Participation

Civil Services

Residents in the St. Joseph community gave high ratings concerning the overall impression of health, safety and welfare. Fifty-nine percent (59%) of respondents indicated they agree that they are receiving good value for the city taxes that they pay. Only 13% of respondents feel they are not receiving a good value in services provided. However, comments were received from residents concerned about the much higher tax rate within the City than the surrounding unincorporated areas. Tabulated results to the statement, "I receive good value for the City of St. Joseph government taxes I pay", are as follows:

Value for Taxes

Rating	Number of Responses	%
Strongly Agree	155	13.1
Agree	543	45.8
Neutral	286	24.1
Disagree	88	7.4
Strongly Disagree	65	5.5
Don't Know	49	4.1

Also noteworthy, the majority of responses (53%) indicated that residents are pleased with the overall direction the City government is taking.

In addition, residents responded very favorably towards fire and police protection. Eighty-five percent (85%) of respondents rated their police services as good to excellent. Fire services received similar marks of 83% as good to excellent. Therefore, respondents did not see a need to

increase or decrease revenue or services for police or fire.

Ninety-eight percent (98%) of respondents rated their neighborhood as reasonably safe to very safe during the day. Respectively, 74% rated their neighborhood as reasonably safe to very safe after dark. In addition, 92% of respondents felt reasonably safe to very safe during daylight hours in city parks. Overall, 90% of respondents identified crime as not a problem or as a minor problem.

Concerning infrastructure, 79% of respondents rated local streets as fair to good. Sixty-five percent (65%) of respondents rated current street repairs and maintenance as good to excellent. However, multiple comments were received from survey respondents identifying residents have concerns with the condition of some of the streets within the city limits and their need for repair. Furthermore, street maintenance was rated among the top ten priorities requiring future attention.

Other

Survey respondents were given the opportunity to rate senior housing within the community. Despite the larger percentages of aging population, the majority of respondents (43%) identified that they were not familiar with senior housing. However, of those who were able to rate the housing, 42% rated senior housing as good to excellent. All responses are listed below.



Public Participation

Senior Housing

Rating	No. of Responses	%
Excellent	149	13.0
Good	334	29.1
Fair	128	11.1
Poor	38	3.3
Don't Know	500	43.5

Survey respondents were also asked about traffic within the City of St. Joseph. Seventy-eight percent (78%) of responses indicated that traffic was either a minor problem or no problem

at all. Concerning pedestrian safety, 64% of respondents felt somewhat to reasonably safe while crossing major streets. Most comments concerning safety identified Main Street as posing the greatest challenge.

Respondents were also asked to identify the sources from which they received the bulk of their information concerning happenings and updates of the City of St. Joseph government. The following is a list of responses. Of interest is the low ranking of the City's official website.

Major Sources of City Information

Media Source	Most	A Lot
City Connection	339	398
Mailmax	309	389
City Calendar	182	317
City Commission Meetings	145	343
Herald Palladium	118	260
Local Television	97	334
Local Radio	56	152
Precinct Meetings	43	131
City Website	33	104
Word of Mouth	28	100



Public Participation

Summary of Priorities

A list of the 2006 Citizen Survey top ten priorities,

as tabulated and summarized by city staff, is as follows:

Top Ten Priorities

Rating	No. of Responses	%
Lower Taxes	312	16.7
Street Maintenance	287	15.4
Programs to Attract Families	229	12.3
Increase Downtown Parking	193	10.3
Improve Lake Bluff Park Landscaping	188	10.1
Increase Recreational Opportunities for All	183	9.8
Downtown Beautification	180	9.6
Increase Library Services	149	8.0
Support Welcome Center and Tourism	145	7.8

Second Ten Priorities

Rating	No. of Responses	%
Main Street Improvements	143	13.7
Arboretum Upgrades	135	12.9
Park Improvements	127	12.2
Restrooms at Boat Launch	118	11.3
Increase Police Services	108	10.4
Sidewalk Replacement	105	10.1
Increase Street Sweeping	94	9.0
Improve Sidewalk Snow Removal	74	7.1
Improve Milton Park Walkways	72	6.9
Increase Fire Services	67	6.4



Public Participation

Key Personnel Workshops

As part of the public participation process, Abonmarche conducted a workshop with City staff as well as five workshop sessions of community stakeholders.

City of St. Joseph's Downtown Development Authority, Cornerstone Alliance, Whirlpool, the Hospital Finance Committee, Berrien County Sheriff, Berrien County Director of Economic Development and Planning, Downtown Merchants, Public Library, Venetian Festival Committee Members, St. Joseph Housing Commission, Lake Terrace, WCA, representatives from the Old St. Joe Neighborhood and the Box Factory, Lake Michigan College, Andrews University, St. Joseph Today, First Baptist Church, three MDOT representatives, Cemetery Board, Curious Kids Museum, Krasl Art Center, Bluffside Committee representatives, the Harbor Authority, and others.

The four Key Personnel Workshops were structured around a core-set of fourteen questions that were formally asked of the group to initiate discussion. Participants of each workshop spoke candidly and key input was gathered as part of the overall public participation and input portion of the project. The following is a list of the fourteen topics of discussion that opened the dialog.

1. According to the 2006 Citizen Survey, 95% of citizens have rated St. Joseph's quality of life as good to excellent. Can you list the top characteristics that explain why? Which of these characteristics would you identify as key to sustaining the City in five, 10 and 20 years?
2. According to 2000 Census data, renter-occupied housing accounts for 42.4% of the housing stock within the City. This rate is considerably higher than surrounding communities. In addition, survey results indicate residents have a strong desire for increasing the property maintenance program and trying to reduce the number of rentals in town. Do you think there are too many rentals in the community? What do you perceive is the biggest rental "problem-area" in the community?
3. Statistics show that the community has an increase in aging population and a decrease in the family formation population. In addition, projections indicate a future loss in school age population. Survey results also indicate that residents strongly desire new programs to attract young families to the City. Why? Where do you see gaps that may discourage young families from settling in St. Joseph? What are other communities able to provide that St. Joseph currently is not? What do you suggest to attract new families?
4. Since 2000, it appears housing values have increased within the City. There is a growing concern regarding the availability of affordable housing for middle-income residents. Meanwhile, area townships have been able to capture new housing and young families at a much higher rate than the City of St. Joseph. What can St.



Public Participation

- Joseph do to capture a percentage of the surrounding new growth?
5. The City has a considerably older housing stock than statewide averages. 72.5% of homes were built before 1970 and 37.8% were built before 1930. Overall, it appears the housing stock is well maintained; however, industry averages indicate many structures may be on the verge of requiring major repairs. What is your perception of the city's current property maintenance program? Would you support city programs to assist property owners in renovation and rehabilitation?
 6. In addition to outdated structural elements, aging homes, typically, do not meet the needs of the modern-day growing family. What would you suggest could be done to update the housing stock and/or increase the ratio of new residential construction within the City?
 7. It appears the historically significant areas within the City have no formal designation or protection. Would you support the implementation of a local historical preservation district? Can you define potential boundaries where a local historic preservation district might be located?
 8. Tourism or limited tourism? Survey results indicate the following: (a) Residents want continued public art displays, beautification, operating the welcome center, and tourism as a form of economic development. (b) Residents want "strong controls" placed on any new or expanding festivals. Is tourism a priority? Is the current level of tourism appropriate for the community? How does St. Joseph strike a balance between maintaining a small town atmosphere while accommodating and promoting tourism?
 9. The City has consistently declined in population since 1960 for a staggering total loss of 25.2%. How do you feel about this? How do you explain this? What would be the ideal number of residents for the City of St. Joseph in 20 years? How do you achieve and maintain an ideal population?
 10. New residential growth has been occurring in the areas of Edgewater, Marina Island, Silver Beach, and Ridgeway. However, there does not appear to be a tremendous amount of new commercial and/or industrial growth. Is the ratio of new development (residential vs. commercial vs. industrial) appropriate? Where should future residential, commercial and industrial developments be located? What measures are in place for the retention and expansion of downtown and local businesses?
 11. The City of St. Joseph has a very limited amount of vacant land or land available for new development. Would you agree developable lands should be considered a limited resource and that extreme caution and consideration should be taken when considering new development projects? What can the community do to ensure that



Public Participation

the highest quality developments enter the community in the future?

12. What is your opinion on view preservation? Where is view preservation most necessary?
13. What is your perception of the Niles Avenue Commercial Corridor?
14. What effect, good and bad, do you see the Harbor Shores Development having on the St. Joseph community?

Discussions varied based upon group dynamics; however, there were consistencies overall in what the community stakeholders value most about the St. Joseph Community.

On the whole, citizens viewed the community of St. Joseph as a very good place to live. Residents and stakeholders are eager to maintain community assets and are, overall, motivated to promote an increase in the quality of life.

As a result of these services, it appears that the predominant issues facing the community today include:

- View preservation of Lake Michigan
- Protection of Small Town Charm
- Protect and promote the character and aesthetics of structures
- Promotion of tourism as a resource for economic development
- Keeping neighborhoods intact
- Improving and protecting single-family housing
- Promoting more options in affordable housing for middle-income residents

- Encouraging and promoting an increase in the young family population
- Discouraging additional lower-end rentals and considering a reduction in current levels.
- Maintaining current levels of recreation as well as providing additional opportunities.

It became evident throughout the Public Participation Process that the population age group of 35 years and younger was grossly underrepresented and, yet, was identified as a valuable future resource within the community.

The following questions list the topics of discussion that opened the dialog at the Young Professionals Workshop.

1. According to the 2006 Citizen Survey, 95% of citizens have rated St. Joseph's quality of life as good to excellent. How many of you live in the City of St. Joseph? Do you agree that the City has a good to excellent quality of life? What do you like best about the City? What do you like least about the City?
2. How do you rate cultural opportunities within St. Joseph? What's missing?
3. How do you rate...
Employment opportunities?
Housing opportunities?
Recreational Opportunities?
Other?
4. Statistics show that the community has an increase in aging population and a decrease in the family formation population. In addition, projections



Public Participation

indicate a future loss in school age population. Survey results also indicate that residents strongly desire new programs to attract young families to the City. Where do you see gaps that may discourage young families from settling in St. Joseph? What are other communities able to provide that St. Joseph currently is not? What do you suggest to attract new families?

5. Since 2000, it appears housing values have increased within the City. There is a growing concern regarding the availability of affordable housing for middle-income residents. Meanwhile, area townships have been able to capture new housing and young families at a much higher rate than the City of St. Joseph. What can St. Joseph do to capture a percentage of the surrounding new growth?
6. It appears the historically significant areas within the City have no formal designation or protection. Would you like to see the City continue to promote and maintain this small town character or move in a different direction?
7. Tourism or limited tourism? Survey results indicate the following: Residents want continued public art displays, beautification, operating the welcome center, and tourism as a form of economic development. What would you like to see in the form of tourism for the (a) general public, (b) you specifically?

8. What is your opinion on view preservation? Where is view preservation most necessary? Would you support future additional development within the downtown that still preserves views and does not result in a loss of parking?
9. What is your perception of the Niles Avenue Commercial Corridor?
10. What effect, good and bad, do you see the Harbor Shores Development having on the St. Joseph community?

The Young Professionals Workshop produces a set of positive ideas about the community. Overall, participants viewed the St. Joseph Community as having a good quality of life, but lacked energy within the downtown area, particularly after business hours. In addition, residents found it difficult to secure affordable living, either for rent or purchase within the city limits. A more detailed listing of priorities identified by this group included:

- Improve employment opportunities
- Increase social activities within their age group
- Increase recreational and sporting activities
- Increase local business hours of operation
- Increase opportunities to communicate citywide with others within their age group
- Increase local support for marketing activities within this age group
- Promote more options in affordable housing for middle-income residents, particularly smaller housing units



Public Participation

- Promote quality rentals proximal to the downtown
 - Maintain or increase the level of summer activities
 - Increase the level of winter activities
 - Protect and promote the character and aesthetics of structures
 - Increase the connection between the waterfront and the downtown
- Support development east of Lake Boulevard that incorporate porches and patios to capture views of the waterfront. Consider upper-floor restaurant-type developments for public and residents to enjoy views
 - Encourage “gathering places” within downtown commerce (i.e., cafes, bookstores, etc.)





2006 Citizen Survey

Quality of Life

1. Please rate your quality of life in St. Joseph.

	Excellent	Good	Fair	Poor
a. Overall, how would you describe the quality of life in the City of St. Joseph?.....	1	2	3	4
b. How do you rate the overall quality of your neighborhood?	1	2	3	4
c. How do you rate St. Joseph as a place to raise children?	1	2	3	4
d. How do you rate St. Joseph as a place to retire?	1	2	3	4
e. How do you rate St. Joseph as a place for young adults to live?	1	2	3	4

2. In the past year, how often have you visited downtown St. Joseph?
 Daily Weekly Monthly Once in a while Don't know

3. Please rate each of the following characteristics of St. Joseph. Then indicate how important each is to you.

	Quality					Importance			
	Excellent	Good	Fair	Poor	Don't Know	Most			Least
a. Sense of community.....	1	2	3	4	5	1	2	3	4
b. Feeling welcome in St. Joseph.....	1	2	3	4	5	1	2	3	4
c. Overall appearance of St. Joseph.....	1	2	3	4	5	1	2	3	4
d. Opportunities to attend cultural events.....	1	2	3	4	5	1	2	3	4
e. Employment opportunities.....	1	2	3	4	5	1	2	3	4
f. Shopping opportunities.....	1	2	3	4	5	1	2	3	4
g. Access of buildings and services for individuals with disabilities.....	1	2	3	4	5	1	2	3	4
h. Access to affordable housing.....	1	2	3	4	5	1	2	3	4
i. Ease of travel by bicycle.....	1	2	3	4	5	1	2	3	4
j. Ease of travel by walking.....	1	2	3	4	5	1	2	3	4

4. How safe do you feel. . .

	Very Safe	Reasonably Safe	Somewhat Safe	Somewhat Unsafe	Very Unsafe	Don't Know
a. Walking alone in your neighborhood during the day?.....	1	2	3	4	5	6
b. Walking alone in your neighborhood after dark?.....	1	2	3	4	5	6
c. Walking alone downtown during the day?.....	1	2	3	4	5	6
d. Walking alone downtown after dark?.....	1	2	3	4	5	6
e. Walking in parks during the day?.....	1	2	3	4	5	6
f. Walking in parks after dark?.....	1	2	3	4	5	6
g. Crossing major streets in St. Joseph?..... (i.e., Main, Niles, Napier, Lakeshore Drive)	1	2	3	4	5	6

5. Please rate how much of a problem, if at all, each of the following is in your neighborhood.

	No Problem	Minor Problem	Moderate Problem	Major Problem	Extreme Problem
a. Traffic.....	1	2	3	4	5
b. Crime.....	1	2	3	4	5
c. Overgrown grass.....	1	2	3	4	5
d. Unkept lots.....	1	2	3	4	5
e. Run-down houses and buildings.....	1	2	3	4	5
f. Parking vehicles on sidewalks.....	1	2	3	4	5
g. Other improperly parked vehicles.....	1	2	3	4	5



Public Participation



TO ENSURE ANONYMITY, PLEASE REMOVE YOUR ADDRESS LABEL FROM THE BACK OF YOUR SURVEY BEFORE RETURNING IT TO CITY HALL.

CITY OF
St. Joseph

Quality of Life—Cont'd

6. How many usable bicycles does your household have?

- none (please go to question 10)
- one (1)
- two (2)
- three (3) or more

7. Do you or other household

members use a bike for:	Yes	No
a. Recreation or exercise.....	1	2
b. Commuting to school.....	1	2
c. Commuting to work.....	1	2
d. Other.....	1	2

8. Should the City of St. Joseph make it a priority to build better bike paths: Yes No

9. If yes, should the bike paths be: off-street paths or on-street bike lanes?

10. In the last 12 months, about how many times have you or a family member in your home done the following things:

	Never	Rarely	Often	Frequently
a. Used one of the City's 16 parks*.....	1	2	3	4
b. Used the John and Dede Howard Ice Arena.....	1	2	3	4
c. Attended a City-sponsored special event (such as municipal band concerts, brown bags, farmers' market).....	1	2	3	4
d. Of the parks* listed below, which park do you use the most often?				
e. Of the parks* listed below, which park do you use the least often?				
f. Should the City charge an entry fee at Riverview Park to non-city residents?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
g. Should Lookout Park remain open space?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
h. What do you feel is the general overall condition of each of the City parks listed below? (Excellent = 1; Good = 2; Fair = 3; Poor = 4; Don't know)				

- | | | |
|---|--|---|
| <input type="checkbox"/> Tiscornia Park | <input type="checkbox"/> Kiwanis Park | <input type="checkbox"/> Point (Froggy) Park |
| <input type="checkbox"/> Riverview Park | <input type="checkbox"/> Bluff Park | <input type="checkbox"/> Whittlesey Park |
| <input type="checkbox"/> Lions Park | <input type="checkbox"/> Tiny Tots Park | <input type="checkbox"/> Margaret B. Upton Arboretum |
| <input type="checkbox"/> Lookout Park | <input type="checkbox"/> Milton Park | <input type="checkbox"/> Old St. Joe Neighborhood (Bear Park) |
| <input type="checkbox"/> Dickinson Park | <input type="checkbox"/> West Basin Marina | <input type="checkbox"/> City Boat Launch |
| | | <input type="checkbox"/> Stubblefield (High School) tennis courts |

City Services

11. Please rate to what extent you agree or disagree with each of the following statements.

	Strongly Agree	Agree	Neither Agree Nor Disagree	Strongly Disagree	Disagree	Don't Know
a. I receive good value for the City of St. Joseph government taxes I pay.....	1	2	3	4	5	6
b. I am pleased with the overall direction that the City of St. Joseph government is taking.....	1	2	3	4	5	6
c. The City of St. Joseph government welcomes citizen involvement.....	1	2	3	4	5	6
d. The City fairly allocates resources to all areas of the community.....	1	2	3	4	5	6
e. The City addresses the needs of my neighborhood fairly compared to other neighborhoods.....	1	2	3	4	5	6
f. I trust that the City Commission and staff do what they say they are going to do.....	1	2	3	4	5	6



Public Participation



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CITY OF
St. Joseph

City Services—Cont'd

12. Please rate the condition of the following within the City of St. Joseph, and then please indicate how important each is to you.

	Quality					Importance			
	Excellent	Good	Fair	Poor	Don't Know	Most		Least	
a. Streets.....	1	2	3	4	5	1	2	3	4
b. Park grounds.....	1	2	3	4	5	1	2	3	4
c. Paths (bike paths, walking trails).....	1	2	3	4	5	1	2	3	4
d. Lawn on center island in roadways.....	1	2	3	4	5	1	2	3	4
e. Street trees (in the tree lawns).....	1	2	3	4	5	1	2	3	4
f. Sidewalks.....	1	2	3	4	5	1	2	3	4
g. Athletic fields.....	1	2	3	4	5	1	2	3	4

13. Please rate the quality of each of the following City of St. Joseph government services. Then indicate how important each service is to you.

	Quality					Importance			
	Excellent	Good	Fair	Poor	Don't Know	Most		Least	
a. Refuse collection.....	1	2	3	4	5	1	2	3	4
b. Recycling services.....	1	2	3	4	5	1	2	3	4
c. Leaf pick-up.....	1	2	3	4	5	1	2	3	4
d. Street repairs and maintenance.....	1	2	3	4	5	1	2	3	4
e. Snow and ice removal—Streets.....	1	2	3	4	5	1	2	3	4
f. Snow and ice removal—Sidewalks.....	1	2	3	4	5	1	2	3	4
g. Street sweeping.....	1	2	3	4	5	1	2	3	4
h. Street lighting.....	1	2	3	4	5	1	2	3	4
i. Property maintenance/code enforcement.....	1	2	3	4	5	1	2	3	4
j. Rental property inspections.....	1	2	3	4	5	1	2	3	4
k. Building Inspections.....	1								
l. Summer recreation program.....	1	2	3	4	5	1	2	3	4
m. Library services.....	1	2	3	4	5	1	2	3	4
n. Police services.....	1	2	3	4	5	1	2	3	4
o. Fire services.....	1	2	3	4	5	1	2	3	4
p. Senior Housing.....	1	2	3	4	5	1	2	3	4
q. Medic I.....	1	2	3	4	5	1	2	3	4
r. Cemeteries.....	1	2	3	4	5	1	2	3	4
s. Downtown beautification.....	1	2	3	4	5	1	2	3	4
t. City's web site (www.sjcity.com).....	1	2	3	4	5	1	2	3	4
u. Utility billing (water/sewer).....	1	2	3	4	5	1	2	3	4
v. Water and sewer services.....	1	2	3	4	5	1	2	3	4
w. Enforcement of traffic laws.....	1	2	3	4	5	1	2	3	4
x. Tap water quality.....	1	2	3	4	5	1	2	3	4



Public Participation



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St. Joseph

City Employees

14. Have you had phone or in-person contact with a City of St. Joseph government employee within the last 12 months (including receptionists, inspectors, police, planning and zoning, administrators, or any others)?
 Yes No

15. What was your impression of City government employees in your most recent contact?

	Excellent	Good	Fair	Poor	Don't Know	Not Applicable
a. Knowledgeable.....	1	2	3	4	5	6
b. Courteous.....	1	2	3	4	5	6
c. Responsive.....	1	2	3	4	5	6
d. Follow-up (got back to you or took action).....	1	2	3	4	5	6
e. Overall customer service.....	1	2	3	4	5	6

16. How effective do you believe the City of St. Joseph's crime prevention programs and community-oriented policing programs are in deterring crime?

Very Effective	Somewhat Effective	Not Very Effective	Not At All Effective
1	2	3	4

Communication

17. How much information do you get about the City of St. Joseph government from each of the following sources:

	Most	A Lot	Some	None
a. <i>City Connection</i> (City's bi-monthly newsletter).....	1	2	3	4
b. City of St. Joseph's Web site (www.sjcity.com).....	1	2	3	4
c. Local television.....	1	2	3	4
d. Local radio.....	1	2	3	4
e. <i>Herald-Palladium</i>	1	2	3	4
f. <i>Mailmax</i>	1	2	3	4
g. City calendar.....	1	2	3	4
h. City Commission meetings.....	1	2	3	4
i. Precinct meetings.....	1	2	3	4
j. "Word of mouth".....	1	2	3	4

18. Please indicate whether you think you receive enough information about each of the following City of St. Joseph government functions or activities. Then indicate how important each item is to you.

	AMOUNT OF INFORMATION			IMPORTANCE				
	Not Enough Information	About The Right Amount	Too Much Information	Essential	Very Important	Some-what Important	Not At All Important	Don't Know
a. Mayor and Commission actions.....	1	2	3	1	2	3	4	5
b. Special events.....	1	2	3	1	2	3	4	5
c. Recreation and park activities.....	1	2	3	1	2	3	4	5
d. Activities in my neighborhood.....	1	2	3	1	2	3	4	5
e. Cultural events.....	1	2	3	1	2	3	4	5
f. Planned and ongoing development.....	1	2	3	1	2	3	4	5
g. Construction projects.....	1	2	3	1	2	3	4	5
h. Development.....	1	2	3	1	2	3	4	5
i. Boards and Commissions.....	1	2	3	1	2	3	4	5
j. Volunteer opportunities.....	1	2	3	1	2	3	4	5
k. Welcome Center & Downtown Events..	1	2	3	1	2	3	4	5



Public Participation



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St. Joseph
CITY OF

Communication – Cont'd

19. What do you find most valuable about the City newsletter? (Please check all that apply).

- actions of the Mayor and Commission
- information about upcoming community events
- details of City government projects
- other
- updates on City issues
- City personnel changes
- none of it

Looking Forward

20. As we plan for the future of St. Joseph, please rank if you agree or disagree with each of the following statements:

	<u>True</u>	<u>False</u>
a. I support restricting the heights of developments along Lake Blvd.....	1	2
b. I support allowing taller developments away from Lake Michigan so long as views are not obstructed.....	1	2
a. I support allowing development of parking lots along Lake Blvd. so long as there is no loss of public parking spaces.....	1	2
d. I support aggressive marketing of our community to attract tourism.....	1	2
e. I support the continuation of Public Art Displays.....	1	2
f. I support increasing the number of neighborhood parks.....	1	2
g. I support increased code enforcement inspections of hotels/motels within the City limits.....	1	2

21. Rate how you feel about the amount of taxes you pay for the services you receive.

	<u>I would be willing to pay more in taxes to improve this service</u>	<u>I would prefer to see this service maintained "as is" and no change in my taxes</u>	<u>I would prefer to see this service reduced and my taxes lowered</u>
a. Police services.....	1	2	3
b. Fire services.....	1	2	3
c. Street maintenance.....	1	2	3
d. Downtown beautification.....	1	2	3
e. Downtown parking.....	1	2	3
f. Park maintenance.....	1	2	3
g. Park improvements.....	1	2	3
h. Street repairs.....	1	2	3
i. Street sweeping.....	1	2	3
j. Sidewalk replacement.....	1	2	3
k. Sidewalk snowplowing.....	1	2	3
l. Curbside recycling.....	1	2	3
m. Special rubbish pickups.....	1	2	3
n. Yard waste pick-up.....	1	2	3
o. Main Street beautification.....	1	2	3
p. Summer Recreation program.....	1	2	3
q. Public Art Displays.....	1	2	3
r. Aggressive marketing for tourism.....	1	2	3
s. St. Joseph Today Welcome Center.....	1	2	3
t. Library technology.....	1	2	3
u. Municipal Band.....	1	2	3



Public Participation



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CITY OF
St. Joseph

Looking Forward—Cont-d

22. The following is a list of potential priorities for the City Commission in 2007. Please rank your top five (5) according to importance, with 1 being the MOST important and 5 being the LEAST important.

- Lower taxes
- Increase Police service levels: (specify: _____)
- Increase Fire service levels: (specify: _____)
- Street maintenance/preservation
- Downtown beautification/aesthetics
- Improve the appearance of Main Street (Ship to Lakeshore Drive)
- Increase downtown parking, including a possible parking deck
- Park improvements
- More frequent street sweeping
- Sidewalk Replacement
- More frequent sidewalk snow removal
- More recreation opportunities for residents of all ages
- Continue support of Welcome Center/tourism activities
- Increased Library services
- Restroom at Lookout Park
- Restroom at Boat Launch
- More property maintenance oversight
- Arboretum Upgrades (including restrooms, guest docking, boardwalk, protective railing)
- Improve Kiwanis Park Tennis Courts
- Milton Park Walkway Improvement
- Bluff Park Landscaping (including terracing of Bluff, restrooms, improvement of walkway from Bluff to beach)
- Improve Kiwanis Softball Fields
- Programs to attract more families to live in the City

Please feel free to make any additional comments. We appreciate your feedback: _____



Public Participation



TO ENSURE ANONYMITY, PLEASE REMOVE YOUR ADDRESS LABEL FROM THE BACK OF YOUR SURVEY BEFORE RETURNING IT TO CITY HALL.

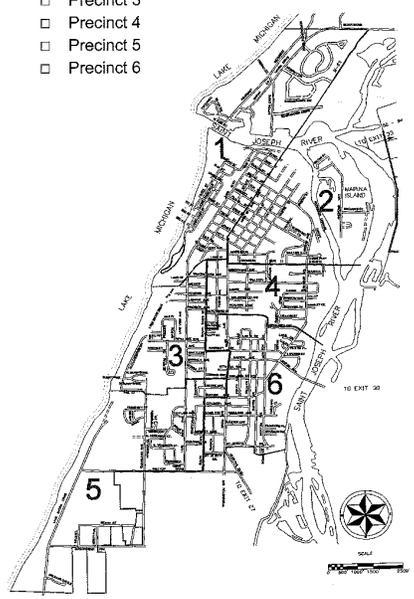
City of St. Joseph

About You This survey is being sent to all registered voters in the City of St. Joseph. So that our statistics are not skewed, please have only one household member complete and return this final statistical section (Items #23—#34 below). Thank you.

23. How many years have you lived in St. Joseph?
_____ years
24. What best describes your home? Is it a . . .
 one family house detached from any other houses
 a duplex or townhouse
 a building with three or more apts. or condos
 other: _____
25. Do you rent or own your home?
 rent
 own
26. Do you have access to a computer at:
- | | yes | no |
|---|--------------------------|--------------------------|
| a. home?..... | <input type="checkbox"/> | <input type="checkbox"/> |
| If so, does it have access to the Internet? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. school?..... | <input type="checkbox"/> | <input type="checkbox"/> |
| If so, does it have access to the Internet? | <input type="checkbox"/> | <input type="checkbox"/> |
| c. work?..... | <input type="checkbox"/> | <input type="checkbox"/> |
| If so, does it have access to the Internet? | <input type="checkbox"/> | <input type="checkbox"/> |
27. Do you subscribe to cable television? yes no
28. If yes, are you satisfied with Comcast? yes no
29. In which category is your age?
 18—24 years 55—64 years
 25—34 years 65—74 years
 35—44 years 75 years or older
 45—54 years
30. What was your household's total annual income in 2005?
 less than \$25,000 \$100,000—\$149,999
 \$25,000—\$49,999 \$150,000—\$199,999
 \$50,000—\$99,999 \$200,000 or more
31. Do any children 12 or under live in your household?
 Yes
 No
32. Do any teenagers between 13 and 17 live in your household?
 Yes
 No
33. Are you or any other member of your household aged 65 or older?
 Yes
 No

34. Which precinct do you live in?

- Precinct 1
- Precinct 2
- Precinct 3
- Precinct 4
- Precinct 5
- Precinct 6



Thank you very much for completing this survey. Your opinions and feedback are appreciated.

Please return the survey in the enclosed envelope to:
 City of St. Joseph
 Community Development
 700 Broad Street
 St. Joseph, MI 49085

**PLEASE RETURN YOUR COMPLETED SURVEY BY
 May 22, 2006
 Thank you**



Public Participation

City of St. Joseph
Community Development
700 Broad Street
St. Joseph, MI 49085

Prsrt Std
U.S. Postage
PAID
St. Joseph, MI
Permit No. 1

**Please remove your address label before
returning your survey to City Hall**

CITIZEN SURVEY ENCLOSED

May 2006



St. Joseph CITY OF

Dear Registered Voter:

The Commission and staff strive to provide good local management of services and develop public policy that is representative of our citizens. One of the best ways to make sure that your views are considered is to periodically conduct a citizen survey. As we work to update the City's Master Plan, your responses will provide invaluable input as to the direction of our community over the next 10 years.

The last survey the City conducted was in 2002, and the results told us that residents were highly satisfied with the City services they were receiving; that the most important issue to residents was the maintenance of streets and sidewalks, followed closely by enforcing a strict property maintenance and code enforcement program.

It is very important to the future of St. Joseph that you complete this survey and return it to City Hall, whether it be by regular mail, fax (985-0346), or dropping it off. In addition, to ensure anonymity, it is important that you remove your address label before returning your completed survey to us. Answers will be compiled and the results will be announced mid-summer. All results will be posted on the City's Web site: www.sjcity.com.

We care about your opinions – please tell us what you think!

Sincerely,

Mary Goff, Mayor
Bob Judd, Mayor Pro tem
Jeff Richards, Commissioner
Mike Garey, Commissioner
Chad Mandarin, Commissioner





Goals and Objectives

Goals and Objectives

Introduction

After completing the community inventory and analysis of existing conditions and priorities, a series of draft goals, objectives, and action plans were developed. Subsequently, the community priorities were identified through a public participation process, with input from community stakeholders, Planning Commission members and City Staff. The Goals and Objectives presented below are formulated to specifically address the desires of the community based upon that input.

The following goals are general statements of purpose while the objectives are specific actions that are tailored to meet the desired goals. Action plans, when applicable, are more detailed steps required to achieve the desired objective.

The Comprehensive Master Plan for City of St. Joseph includes twelve goals. These goals are categorized under broad topical areas including General, Land Use – Economic Development and Commercial Areas, Land Use – Residential, Land Use – Parks and Recreation, St. Joseph River Frontage, and Infrastructure. Following these twelve broad goals are the more detailed objectives and action plans.

The goals, objectives, and action plans should be utilized as a foundation for making day-to-day decisions regarding the future growth and development of the City. While this Comprehensive Master Plan is intended to be both long-range and flexible, it is important to consider how both decisions and

unanticipated changes might affect the desired outcomes. Therefore, the following goals, objectives, and action plans should be reviewed and updated once every five years or on an as-needed basis to be determined by the Planning Commission.

I. General

A. Goal:
Encourage cooperative efforts for public and private sector development.

Objective:

1. Regulate the use and manner of development of property through current and reasonable zoning controls.
2. Establish direct marketing strategy to attract desirable commerce to Central Business District (CBD) and Niles Avenue Commercial Corridor.
3. In recognition of the number of nonconformities in the City, amend the Zoning Ordinance to reflect a philosophy of allowing existing nonconformities to continue, to be maintained and to economically function until voluntarily reduced or eliminated. The specifics of the Zoning Ordinance amendment would require additional consideration to ensure that the interests of the nonconformities and the neighboring properties are properly balanced. The following are examples of possible provisions which could be incorporated into an amendment:



Goals and Objectives

- a. Allow a nonconformity to be recognized through a formal approval process.
- b. Allow a nonconformity to be re-established following damage or destruction.
- c. Allow a nonconformity to be reduced without being brought completely into conformance with the ordinance.
- d. Allow a nonconformity to be altered or expanded under certain conditions.

**B. Goal:
Maintain levels of communication and open dialog between local government and citizenry.**

Objective:

1. Promote usage of website.
2. Bolster outreach efforts to encourage younger voter registration and participation.
3. Continue current efforts which encourage public participation on a variety of issues.
4. Develop local and regional marketing strategies to enhance awareness of City activities.

**C. Goal:
Maintain positive intergovernmental Cooperation**

Objective:

1. Continue strong communications between City government and local and regional governmental entities to ensure that development within St. Joseph is in harmony with the surrounding areas.

2. Coordinate recreational activities; ice arena, soccer, Howard Family Trail, etc.

II. Land Use – Economic Development and Commercial Areas

**A. Goal:
Maintain the downtown as the retail hub. Promote and market the Central Business District (CBD) as a retail destination.**

Objective:

1. Continue to increase activities and energy within the CBD.

Action Plan:

- a. Increase marketing efforts to attract businesses that promote “gathering place” venues within the CBD.
- b. Encourage retail and restaurants to locate within the core of the CBD, while encouraging office uses to locate beyond this retail core.
- c. Recruit additional retailers from other shoreline communities to expand their businesses in St. Joseph’s CBD.
- d. Continue programs and events to bring activity to the downtown area.

Objective:

2. Establish programs for commercial establishments to better serve the market.

Action Plan:

- a. Encourage and provide low-interest loans or other financial incentives for the development



Goals and Objectives

of downtown year-round retail establishments.

- b. Attract new businesses to the CBD that have clear business plans for success.
- c. Market to prospective franchises looking to locate in the area.
- d. Create a more permanent location and structure for the Farmers Market.
- e. Encourage extended weekday evening and weekend hours of operation for downtown retailers to provide both residents and tourists additional shopping opportunities.

Objective:

- 3. Enhance connections to the downtown from south, north, and east areas of St. Joseph.

Action Plan:

- a. Enhance non-motorized pathway linkages to downtown at or near Broad Street, Niles Avenue, and Lakeshore Drive.
- b. Enhance linkages between the downtown and the St. Joseph River via stronger pedestrian and vehicular connections from the municipal marina and along Main, Broad and State Streets.
- c. Design and construct clear vehicular and non-vehicular directional signage throughout the City that identifies specific downtown and waterfront destinations.

B. Goal: Protect St. Joseph's sense of community.

Objective:

- 1. Promote and maintain "small town charm" and enhance the existing ambiance within the CBD.

Action Plan:

- a. Establish focus group to define key elements of "small town charm".
- b. Establish boundaries for a special design review area within CBD to be included for "small town charm" enhancement and conservation.
- c. Prepare landscape plan within CBD, with aesthetically pleasing softscapes, including street trees, shrub rows at parking lot perimeters, and perennial and seasonal flowering beds throughout streetscape.
- d. Establish architectural design review board to develop architectural design standards for all new construction within the CBD for future developments to adhere and that reflect "small town charm" as defined by the board, city, and residents.
- e. Encourage all new development to excel in storefront and streetscape appeal, according to newly proposed architectural standards and Smart Growth Principles. Smart Growth includes but is not limited to principles of:
 - i.) Promoting health, safety and welfare of residents.
 - ii.) Developing a unique sense of community.
 - iii.) Preserving and enhancing valuable natural and cultural resources.



Goals and Objectives

- iv.) Focusing re-growth within the existing CBD and utilizing existing infrastructure.
- v.) Employing compact, pedestrian-oriented, mixed-use development patterns and land reuse.

Objective:

- 2. Redevelop properties within the CBD to highest and best use.

Action Plan:

- a. Integrate principles of Smart Growth, as identified above.
- b. Develop task force to identify both, public and private areas of greatest potential for redevelopment.
- c. Develop long-term strategy for acquisition and a future land use plan for key parcels.
- d. Develop feasibility study to analyze block by block, those areas adaptable to redevelopment and those areas requiring preservation and/or conservation.

Objective:

- 3. Preserve views to Lake Michigan from the west side of Lake Boulevard, spanning the length of the CBD.

Action Plan:

- a. Establish special ordinance within the CBD to regulate the height of future developments for view preservation.
- b. Enforce Bluffside scenic view ordinance to restrict height of future developments for view preservation.

- c. Maintain public ownership of municipal parking lots at Broad Street and Lake Boulevard to allow control over future usage.

Objective:

- 4. Maintain Whirlpool Field for public usage.

Action Plan:

- a. Continue to develop land use plans to maximize experience for the general public while creating an aesthetically pleasing use environment.
- b. Maintain views of Lake Michigan.

Objective:

- 5. Promote “walkability” and pedestrian friendliness within the City, further enhancing a sense of community.

Action Plan:

- a. Maintain existing storefront parking for patrons while encouraging or requiring employees to park elsewhere.
- b. Identify legitimate parking needs and concerns proximal to the downtown.
- c. Conduct study to identify transitional points within the downtown that inhibit fluid walkability.
- d. Develop formal Parking Plan for downtown. Conduct study to inventory existing parking and identify area parcels for additional parking.
- e. Conduct feasibility study to explore underground and/or above ground, screened parking garage to minimize visual impact and obstruction.



Goals and Objectives

- f. Include in study an investigation of incorporating parking garages within future mixed-use developments.

Objective:

- 6. Identify historically significant areas within the community.

Action Plan:

- a. Establish local historical preservation district(s) within the community to identify and oversee a set of locally established architectural standards.
- b. Provide incentives and/or subsidies to property owners within the districts for upkeep and maintenance.
- c. Establish boundaries for Historic Preservation District(s) to include a series of design standards for all new construction to maintain overall aesthetics and historical integrity.
- d. Work with local historical agencies to establish historical preservation and conservation policies to be adopted by City.

- C. Goal:**
Generate critical mass of patrons using the downtown to support desired increase in retail services.

Objective:

- 1. Promote and market the downtown, City, and region.

Action Plan:

- a. Launch aggressive Internet marketing campaign to attract

visitors and potential future residents.

- b. Market the region's natural resources and agricultural commodities.
- c. Market the City's location with respect to the fruit belt and regional wineries.
- d. Develop additional winter activities, events and gathering places to create year-round tourism opportunities.

Objective:

- 2. Promote Planned Unit Developments (PUDs) and mixed-use developments within the CBD.

Action Plan:

- a. Promote density through Smart Growth principles of vertical versus horizontal expansion.
- b. Encourage higher density residential above first-floor retail within the CBD.
- c. Establish desirable maximum height, on a block-by-block basis for proposed developments.
- d. Work with the condominium market to develop smaller-scale projects that include retail at the ground level.
- e. Require all new developments to emphasize aesthetically pleasing, pedestrian friendly facades.

- D. Goal:**
Enhance Niles Avenue Commercial Corridor experience for residents and visitors to community.

Objective:

- 1. Improve aesthetics of Niles Avenue, as gateway to the community from the south.



Goals and Objectives

Action Plan:

- a. Revise signage ordinance to minimize quantity, height, and size while maximizing aesthetics. The intent is to apply restrictions while still allowing businesses to effectively advertise.
- b. Establish landscape ordinance to include parking lot screening, street trees and landscape areas.
- c. Establish basic architectural design standards for new construction for improved aesthetics and curb appeal.
- d. Develop Phased Utility Underground Implementation Plan.

Objective:

2. Improve safety for vehicular and non-vehicular users.

Action Plan:

- a. Continue to coordinate with MDOT to conduct transportation study to explore possibility of implementing a system of combined, limited access driveways and other traffic-calming strategies for safer ingress/egress.
- b. Provide calming devices to naturally reduce speeds.

III. Land Use – Residential

A. Goal:

Capture area growth - Create additional housing incentives for middle-income residential market.

Objective:

1. Improve options to encourage new home construction or home additions within city limits.

2. Provide and encourage the development of housing opportunities unique to all income groups.
3. Develop strategies to bring new families into the City.

Action Plan:

- a. Develop aggressive marketing strategy and resources that tout benefits of living within St. Joseph to attract prospective residents, such as proximity to great schools, recreational activities, and overall resident satisfaction for tax dollars.
- b. Review current setbacks ordinance to accommodate modern residential development.
- c. Create Housing Development Fund to accommodate greater benefits to more recipients.
- d. Provide low interest loans and income based housing assistance programs to promote owner-occupation.
- e. Provide incentives to convert multi-family residential structures back to single-family within established neighborhoods generally bounded by Main Street (M-63), Broad Street, Langley, and Wolcott Avenue.

Objective:

4. Embrace long-term real estate market trends that indicate waterfront and water view parcels will maintain and increase in value; therefore, demand higher values.

Action Plan:

- a. Allow for higher-end and seasonal housing units along and near the waterfront.



Goals and Objectives

- b. Promote condominium development along the St. Joseph River while maintaining views to and from the City.

Objective:

- 5. Encourage renovation of existing multi-family units near downtown.

Action Plan:

- a. Provide incentives to existing landlords to offset rehabilitation costs.
- b. Strictly enforce existing rental codes.
- c. Open lines of communication to quality, prospective developers of multi-family residential.

B. Goal:

Preserve existing local housing market.

Objective:

- 1. Provide additional housing opportunities for empty nesters and aging market.

Action Plan:

- a. Conduct market analysis to determine where and how a retirement village may fit within the city limits. Possibly integrate some of the post-WWII bungalow housing into a new all-inclusive retirement village.
- b. Establish incentives program for updating and/or rehabilitating aging housing stock.

IV. Land Use – Parks and Recreation

A. Goal:

Provide citizens with an abundance of recreational opportunities within city limits.

Objective:

- 1. Create contiguous system of trails radiating north, south and east of CBD and connecting to the waterfront.

Action Plan:

- a. Incorporate non-motorized trail system to link major points of interest, scenic views, residential and recreational areas throughout City.
- b. Work with adjacent communities to interconnect system of non-motorized trails.

Objective:

- 2. Continue to pursue state and federal funding sources for increased recreational opportunities.

Action Plan:

- a. Keep MDNR Recreation Plan current within the five-year cycle.
- b. Initiate discussions with funding agencies for development and expansion of non-motorized trail systems.

Objective:

- 3. Improve existing municipal parks.

Action Plan:

- a. Prioritize park improvements according to City of St. Joseph MDNR Recreation Plan.



Goals and Objectives

- b. Periodically review performance of most utilized parks to keep up with visitor demand and market.

Objective:

- 4. Market St. Joseph as a recreational destination.

Action Plan:

- a. Align City efforts with regional tourism bureau.
- b. Promote the water recreation industry to accommodate boat and jet ski rentals, dinner cruises, and other opportunities.
- c. Increase marketing efforts to promote parks and recreation, as a form of tourism.

V. St. Joseph River Frontage

A. Goal:

Promote development along St. Joseph River.

Objective:

- 1. Create a specific Master Land Use Plan for the river's edge.

Action Plan:

- a. Conduct feasibility study to determine ideal land usage.
- b. Enhance connectivity to CBD from all points along River.
- c. Continue work to develop and/or improve public and private marinas and boat slips.
- d. Incorporate multi-family residential, commercial, and waterfront recreational opportunities.

VI. Infrastructure

A. Goal:

Expand the City of St. Joseph as a modern and marketable City.

Objective:

- 1. Promote the development of a Smart City.

Action Plan:

- a. Expand system of fiber optics and high-end Internet access for the promotion of office, research and possibly high-end manufacturing within city limits.
- b. Develop networking plan for all roadway construction projects to incorporate fiber optics.
- c. Increase web-based technologies to better communicate with citizenry and increase marketing capabilities.



Goals and Objectives

Financial Considerations For Recommended "Next Step" tasks from Action Plan items.

The following are defined action plan items that require "significant" investment in order to implement. We have provided preliminary cost estimates to assist the City in planning and budgeting.

1.) Section II, Goal A., Objective 2.

Action Plan (e.)

- Create a more permanent location and structure for the Farmers Market.

Conduct a feasibility study to pinpoint several locations for a proposed permanent Farmers Market. Create proposed site plan concepts and detailed structural concepts for assessment by the city and other interest groups.

Site Investigation and Design: \$15,000 – 20,000

2.) Section II, Goal A., Objective 3,

Action Plan (a, b, c)

- Addresses the enhancement of pathway & trail connectivity to prioritized areas of the city, as well as clear way-finding signage development.

Conduct a comprehensive inventory and analysis of all non-motorized pathway links throughout the City of St. Joseph and surrounding areas of focus. Include close attention to waterfront connections, scenic views, residential neighborhoods, recreational areas, and way-finding needs.

Site Inventory & Analysis and Plan Development: \$20,000 – 30,000

3.) Section II, Goal B., Objective 5,

Action Plan (a)

- Promote "walkability" and pedestrian friendliness within the City, further enhancing a sense of community.

Create a Master Streetscape Plan for the CBD. Provide unification through design elements. Upgrade, update, and modernize the materials and furnishings to bind the aesthetics of the CBD. Qualities must be unique and reflect the community of St. Joseph.

Site Inventory & Analysis: \$25,000 – 35,000



Goals and Objectives

**4.) Section II, Goal B., Objective 5,
Action Plan (e)**

- Develop a formal parking plan for downtown.

Conduct a study to inventory existing parking and identify area parcels for additional parking. Include feasibility study for the possibility of underground parking garage.

Site Investigation: \$15,000 – 20,000

**5.) Section II, Goal D., Objective 1.,
Action Plan (b)**

- Establish landscape ordinance to include parking lot screening, street trees, and landscape areas.

Create a Master Streetscape Plan for Niles Avenue that enhances the corridor as a gateway into the community from the south. The plan should match amenities and design elements of the Master Plan for the CBD and include significant gateway signage into the south town business corridor.

Site Inventory and Analysis and Conceptual Plan: \$20,000 – 30,000





Future Land Use

Introduction

The Future Land Use Map as included in this section of the plan was developed through the analysis of extensive physical features, the socio-economic profile, existing land use, zoning, public participation, and goals and objectives. This map is a 20-year planning tool intended to guide the City in reviewing the merits of potential development. The Future Land Use Map is not a binding document, but rather a resource to be used in making sound planning decisions. It is important to note that the 20-year expectation and recommendation may differ from current land use and it is not necessarily reflective of the Zoning Map but can be used as a basis for zoning decisions over the years. The map must incorporate the following characteristics for it to serve the needs of the community and to function effectively.

1. The map must be general.

The map cannot be implemented immediately since changes in land use are most often a result of private development. As a result of these incremental changes in land use, the map must be flexible in nature. The strict interpretation and application of this map on a parcel-by-parcel basis should not preclude a thorough review and analysis of any development proposal.

2. The map must be comprehensive.

If the map is to serve its function as an important decision making tool, it must give proper consideration to the sensitive relationships between all of the land use categories, including environmentally sensitive properties. These areas as identified within the physical features section of the plan include the lake and river shorelines and wetland areas. Development within such environmentally sensitive areas should be discouraged.

3. The map should acknowledge regional conditions and trends.

Future land uses within the City will not result independently of regional conditions and trends. Therefore, land use trends within both St. Joseph Charter Township and Berrien County must be taken into consideration in order to develop a realistic and reasonable future land use map.

4. The map must be updated periodically.

A comprehensive review of the map should be undertaken approximately every five years to adequately address new conditions and trends. Such new conditions and trends may be local, state, or national in nature and are often impossible to predict. However, all



Future Land Use

major rezonings, which are in conflict with the map, should be reviewed and the map appropriately amended.

Preparation of the Map

The Existing Land Use Map included within this plan was used as a starting point for the preparation of the Future Land Use map. All existing land uses were reviewed and analyzed on a parcel-by-parcel basis to determine whether or not they were an appropriate future use for each parcel. Where deemed appropriate, the existing land uses were often projected as the proper future land use.

The recently updated Zoning Map was also used as a tool in preparing the Future Land Use map. The Zoning Map, which is normally updated following the development of a Future Land Use map, closely resembles the Existing Land Use map. The City is updating both the Zoning Ordinance and Map and Comprehensive Master Plan simultaneously. Therefore, a conscious effort was made to keep differences between these two maps to a minimum to ensure that the revised Zoning Map was not immediately out of date and incompatible with the Future Land Use map.

Both the Existing and Future Land Use maps include single-family residential, multi-family residential, commercial, industrial, and institutional land use

classifications. A water recreational district and open space land use classification were added to the Future Land Use map based upon the public participation process and formulation of the goal and objectives.

Single-Family Residential

This classification is the largest of any within the city. North of the St. Joseph River, single-family land uses will continue to exist along Ridgeway Drive and within Edgewater Dunes. A majority of the land south of the St. Joseph River and the Central Business District will also continue to be single-family residential. A concerted effort should be made by the city to convert some of the single-family structures that were recently converted to multi-family structures back to single-family. This would help to stabilize and possibly increase home ownership and investment in these neighborhoods. Further single family residential development along Lake Shore Drive south of Hilltop Road should be discouraged due to the nearby industrial uses and location along a major thoroughfare.

The single-family residential area on the Future Land Use map includes the entire R2 two-family residence zoning district. This is not intended to imply that the R2 district should be eliminated in the future, but instead to recognize that the boundaries between the R1 and R2 districts are likely to change as a result of voluntary conversions of



Future Land Use

existing duplexes to single-family homes. The R2 use is more intense than R1, and in recognition of that reality, future rezonings – whether from R1 to R2 or vice versa – should take place in such a way as to enlarge or reduce the contiguous R2 districts, but not in a way that fragments an existing district into disconnected sections.

However, in some special circumstances, it may be appropriate to allow an R2 zoning in the R1 district. This would typically not be appropriate in the middle of a neighborhood, but it might be reasonable in the event that a parcel has some combination of physical or neighboring use characteristics that set it apart from neighboring single-family properties and makes it less desirable for that use, but which could be a viable two-family property.

Multi-Family Residential

This classification includes two or more residential units and accounts for apartment complexes, condominium developments, and two-family residential structures. These uses are not proposed to be concentrated in any specific part of the City. However, it is anticipated the multi-family developments will continue to be developed along the Lake Michigan and St. Joseph River shorelines. Also, multi-family residential developments should be encouraged between existing commercial and single-family residential uses.

Commercial

This classification includes retail sales and services, offices, and businesses other than industrial. The two primary commercial areas shall continue to be located within the downtown area and along the Niles Avenue corridor. Further commercial development both small and large scale should be encouraged within both of these commercial areas. However, careful consideration must be taken to ensure compatibility with adjacent residential areas. Compatibility should be considered through a development review process, which may include both architectural design and landscaping.

Industrial

Industrial uses include manufacturing and some marina related uses. The City should encourage further industrial development within the southwest part of the City. A majority of the industrial land uses on Marina Island and west of Marina Island as identified on the Existing Land Use map are proposed to become a Water Recreational District (see below for a further explanation of this district). Even though these areas are proposed as Water Recreational, the continued use of commercial port operations should continue to be encouraged and supported by the City.



Future Land Use

Institutional

This classification includes properties used for government offices, schools, churches, the police and fire stations, and related uses. Due to low intensity use of many of these uses, a majority of them are compatible with single-family residential uses. Therefore, institutional uses can be located within existing neighborhoods. Three of the largest institutional uses, St. Joseph High School, Joint Sewage Treatment Plant, and the Lakeland Healthcare complex, are expected to remain at their present locations.

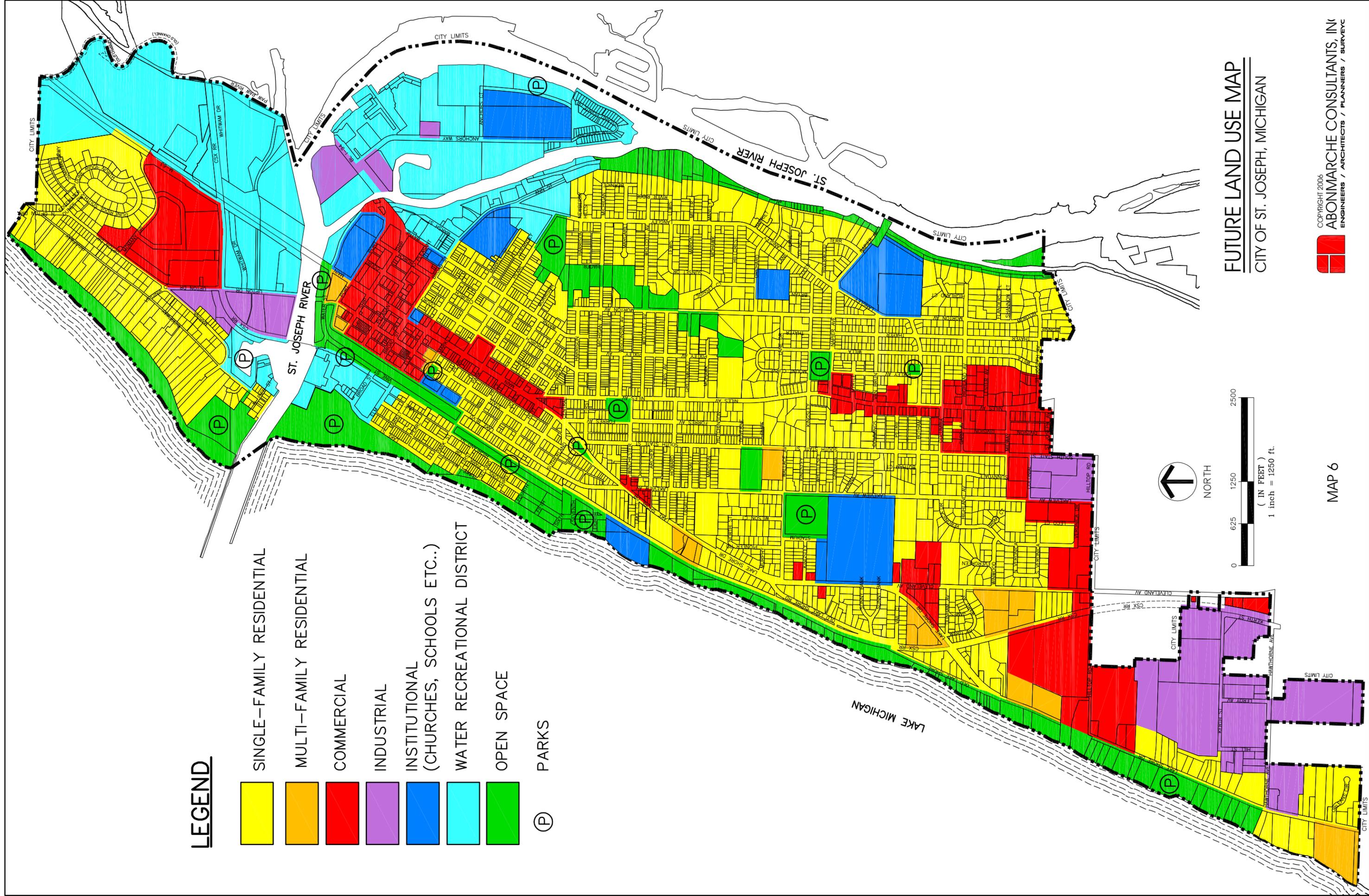
Water Recreational District

This classification was one of the two that were added per the public participation process and formulation of goals and objectives. The purpose of this district is to encourage any use that is compatible with and relies on its location and proximity to the St. Joseph River. Therefore, these uses may not be singular in nature and may include a mixed-use concept. Individual or mixed-uses may include condominium development, apartment complexes, low intensity commercial development including retail and office uses, and recreational uses. This district should also promote pedestrian friendly design in order to draw people to the waterfront.

Open Space

This is the second of the two classifications that were added. Open space areas should be maintained and encouraged along the Lake Michigan and St. Joseph River shorelines. Also, city parks and the wooded area and ravine located to the southwest of Kiwanis Park should be maintained as open space.





LEGEND

- SINGLE-FAMILY RESIDENTIAL
- MULTI-FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- INSTITUTIONAL (CHURCHES, SCHOOLS ETC..)
- WATER RECREATIONAL DISTRICT
- OPEN SPACE
- P PARKS



NORTH



(IN FEET)
1 inch = 1250 ft.

FUTURE LAND USE MAP

CITY OF ST. JOSEPH, MICHIGAN



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ENGINEERS / ARCHITECTS / PLANNERS / SURVEYS

MAP 6



Plan Implementation

Plan Implementation Resources

Introduction

The Comprehensive Master Plan is essentially a statement of goals, objectives, and action plans designed to accommodate future growth and redevelopment. The Plan forms the philosophical basis for the more technical and specific implementation measures that will follow after adoption of the Plan. The Plan will have little effect upon future planning unless adequate implementation programs are established. This section identifies actions and programs, which will be useful in the implementation of the Plan goals.

Zoning Ordinance

Zoning is the development control that is most closely associated with implementation of a majority of the land use related goals, objectives, and action plans of the Comprehensive Master Plan. Originally zoning was intended to inhibit nuisances and protect property values. However, zoning should also serve additional purposes, which include:

- To promote orderly growth, preservation and redevelopment in a manner consistent with land use policies and the Master Plan.
- To promote attractiveness in the City's physical environment.
- To accommodate special, complex or unique situations through such mechanisms as planned unit

developments, overlay districts, or special use permits.

- To promote the proper relationship between potentially conflicting land uses (i.e. industrial uses adjacent to residential areas).
- To preserve and protect existing land uses, where appropriate.
- To promote the positive redevelopment of underutilized areas of the City.

The zoning ordinance and official map, in themselves, should not be considered as the major long range planning policy of the City. Rather, the Comprehensive Master Plan must be regarded as a statement of planning policy and zoning should be used to assist in implementing that policy.

One specific Zoning Ordinance tool that is available to assist the City is an Overlay Zone. Overlay Zones can be used to place regulations on property in addition to the requirements of the underlying zoning district. Overlay Zones are useful in protecting areas such as, but not limited to, historic districts, wetlands, floodplains, and environmentally sensitive areas. They can also be used to establish use requirements or limitations such as height and area or short-term rentals. Overlay Zones may also be used to encourage unique development within the central business district by permitting appropriate mixed-uses without changing the underlying zone.



Plan Implementation

Design Guidelines

Design Guidelines are intended to help establish and maintain a special character throughout the non-residential areas in the City. In order to ensure their consistent application, each guideline should be evaluated in light of ordinance regulations that would assist with implementation. New standards and amendments of existing regulations should be considered that are essential to the implementation of the objectives in the Plan. References should be added to the ordinance, to assist developers in achieving the City's preferred character outcome.

Neighborhood Preservation

The residents in the City of St. Joseph take great pride in their neighborhoods. The integrity of some areas can be threatened by past development practices, which could result in projects that would be incompatible with existing neighborhoods.

New development projects, if not properly done, can have a dramatic impact on the character and viability of existing neighborhoods. However, other actions such as the division of platted lots into smaller lots and the granting of variances provide more subtle but lasting change within a given area. Finally, the consistent enforcement of regulatory codes and Ordinances can have a long-term positive effect on neighborhoods.

A series of steps can be taken which involve both regulatory and administrative measures:

- Adopt Neighborhood Design Standards - Many of the controversies that have arisen in St. Joseph have been a result of new residential design, which is incompatible with the scale, density and character of existing neighborhoods. By incorporating neighborhood design standards within the Zoning Ordinance, the existing character of neighborhoods can be better maintained to prevent new developments and additions to existing structures, which are incompatible.

The intent of the design guidelines is to ensure building designs are compatible with the characteristics of the neighborhood in terms of scale, mass, building patterns, facade articulation, and incorporating design elements of prevalent neighborhood architectural style; and that building additions are compatible with the principal structure. This will allow for modern design and modern interpretation of neighborhood architectural styles.

- Increase Housing and Property Maintenance Code Enforcement-Evident through the Public Participation Workshops and the City Survey was the desire from a broad spectrum of the community for the City to continue current



Plan Implementation

enforcement efforts and even consider tougher criteria and enforcement. While it would be expedient to target only rental properties, a credible and equitable effort would have all properties abide by minimum standards.

Enhancing housing and property maintenance enforcement will involve the evaluation of existing codes to determine necessary revisions.

- Review of Lot Division/Combination Requirements - Lot size compatibility with existing neighborhood standards can be incorporated in the Zoning Ordinance. Procedures outlining a compatibility determination process will ensure that lot divisions do not create incompatible building sites.

Historic Preservation

Residents have expressed strong preference for identifying and preserving historic structures. However, a plan for preserving historic structures should be supported by the preparation of a detailed inventory. Efforts to identify both significant historic structures and neighborhoods should be pursued in the context of a historic preservation master plan. It was indicated that preservation efforts should remain under local control.

Downtown Development

Any community that strives for improvement must have a strong relationship between City officials and various business development organizations (i.e. Downtown Development Authority, St. Joseph Today and the Cornerstone Alliance). Important issues related to the retail mix, parking, need for civic plaza space, relationship to Farmers Market, and the relationship between downtown and the neighborhoods were raised throughout the planning process. As a result, important discussions were initiated between City officials and business leaders. An ongoing process will help ensure implementation of the key concepts of this Plan so that the City can maintain its "Small Town Charm". Downtown development goals also include incentives and loans in order to help spur economic activity.

Commercial Entry Corridors

Throughout the Public Participation Workshops strong preference was expressed about improving the image and identity of the City's main corridors. The City should undertake a study of the Main Street, M-63 North, Niles Avenue, and Lake Shore Drive entry corridors which would outline long range strategies for traffic management as well as visual components such as parking setbacks, landscape and signage.



Plan Implementation

In addition to visual improvements within key corridors, review of amendments to the zoning ordinance in the commercial zoning districts should address the following policies:

- a greater visual buffer between the public right-of-way and required on-site parking areas
- reduce the number of curb cuts along the major commercial corridors
- greater amounts of landscape material be provided for new commercial development along the major corridors
- the character and importance of entry corridors

Federal and State Grant Programs

Federal and State grants are much smaller in both number and dollar amount and are more competitive than during in their peak between the 1950's through the mid 1980's. There are still programs in place, as shown in **Table 27**; however, these are generally specific in nature. Proper planning in advance is generally the key to success in securing these grants. The granting agency is often particularly interested in innovative projects that stretch the grant dollars or present a concept that is transferable to other communities. Projects that involve two or more neighboring municipalities often receive priority for funding, such as a shared trail system or a mutual road improvement.

Capital Improvements Program

Capital improvements programs consider the funding and timing of all municipally related capital needs including such items as roadways, utilities, parks and recreation, and major public building expansions or improvements. Yearly ongoing review provides the opportunity to keep the plan up to date and add new projects. Efforts should be made to coordinate capital improvement plans with the Comprehensive Master Plan to help identify priorities for needed improvements.

Plan Education

Citizen involvement and support will be necessary as the Plan is implemented. Local officials should constantly strive to develop procedures, which make citizens more aware of the planning process and the day-to-day decision making which affects implementation of the Plan. A continuous program of discussion, education and participation will be extremely important as the City moves toward realization of the goals and objectives contained within the Master Plan.

Plan Updates

The Plan should not become a static document. The City Planning Commission should attempt to re-evaluate and update portions of it on a periodic basis. The land use portion should be reviewed annually and updated at least once every three to five years.



Plan Implementation

Table 27
Key Funding Sources
Federal, State and Local

<i>Funding Legislation/ Source</i>	<i>Program Name</i>	<i>General Description of Program</i>	<i>Comments</i>
Federal	Community Development Block Grant (CDBG) Program: administered by Michigan Economic Development Corporation	Flexible program developed to replace categorical grants. Eligible projects include property acquisition, installation or repair of public facilities (roads, water, and sewer lines, etc.) building rehabilitation and preservation, and planning activities.	Projects must meet one of three national objectives: (1) benefit low and moderate income persons; (2) aid in the prevention of slums or blight; and (3) meeting community development needs having a particular urgency.
Federal	Public Works and Economic Development Program: administered by Michigan Economic Development Corporation	Program designed to help support the construction or rehabilitation of essential public infrastructure and facilities.	Grants for the expansion of infrastructure to attract new industry.
Federal	Research and National Technical Assistance	Oversees three technical assistance programs (National, Local and University Center) that promote economic development and alleviate unemployment, underemployment, and outmigration in distressed regions.	Grants for research and national technical assistance projects to promote competitiveness and innovation in urban and rural regions.
Federal	Equity Act; Transportation Enhancement Program: administered by MDOT	Funding for the development and construction of non-motorized facilities.	Eligible to all government entities that receive fuel tax revenues. Match levels are 80% federal and 20% local.
Federal	Congestion Mitigation and Air Quality Improvement Program: administered by MDOT and Southwest Michigan Planning Commission	Program goal is to reduce traffic congestion and enhance air quality. Eligible projects include bicycle and pedestrian facilities and bicycle safety planning.	Funds are available to counties designated as non-attainment areas for air quality. Match levels are 80% federal and 20% local.
Federal	State and Community Highway Safety Grants: administered by MDOT	Funding for pedestrian and bicycle safety projects through the Section 402 Formula Grant Program.	Michigan is eligible to obtain these grants via MDOT's recently adopted Strategic Highway Safety Plan.



Plan Implementation

Federal	Sate Routes to School Program: administered by MDOT	Funding available for construction of new bicycle lanes, pathways, and sidewalks to and from schools. Also, for Safe Routes Education.	A school based planning process must be completed as a prerequisite for funding. This is 100% federally funded.
Federal	Local Technical Assistance Program: administered by the Economic Development Administration, U.S. Department of Commerce	Technical assistance programs (National, Local and University Center) that promote economic development and alleviate unemployment, underemployment, and outmigration in distressed regions.	Technical assistance is used to provide information, data, and know-how in evaluating, shaping and implementing specific projects and programs that promote economic development in economically distressed regions.
Federal	Section 202 Housing Program: administered by Michigan State Housing Development Authority	Loan programs to provide funding for senior citizen and handicapped housing. New construction, rehabilitation and congregate housing are all eligible.	Only non-profit corporations and cooperatives may be sponsors.
Federal	Water and Sewer Loan and Grant Program: administered by USDA	Funding available to help rural communities develop water and waste disposal systems.	Available to communities with populations under 10,000.
Federal	Research and Evaluation Program: administered by the Economic Development Administration, U.S. Department of Commerce	Program funds research and national technical assistance projects in urban and rural regions.	Can be utilized for innovative economic or infrastructure development activities.
State	The 21 st Century Jobs Fund: administered by MEDC	Fund is geared to help grow high-tech economy by investing in basic research.	Mainly available to universities and private entities. Geared toward the commercialization of products.
State	Coastal Zone Management Grants: administered by MDEQ	Grants offer assistance to enhance Michigan's coast.	
State	Michigan Natural Resources Trust Fund: administered by MDEQ	Grants for the acquisition and development of land and facilities for outdoor recreation.	Submittal of a 5 year recreation plan is necessary as part of the application.
State	Land and Water Conservation Fund: administered by MDNR	Program provides grants for the development of land for outdoor recreation.	Grant requires submittal of a recreation plan and 50% match from the applicant.



Plan Implementation

State	Recreation Trails Program Grant: administered by MDEQ	Grant for the maintenance and development of trails and related facilities.	Applicant must develop partnership with a DNR division.
State	Recreation Improvement Fund: administered by MDNR	Fund for the operation, maintenance and development of recreation trails.	Similar to the RTPG, MDNR and community are joint applicants.
State	Interpreting America's Historic Places: Planning Grant	Planning Grants for the support historic places.	Grant can be utilized for a single site, a series of sites or a neighborhood.
State	Capital Access Program: administered by MEDC	Assist small businesses with capital needs.	Non-restrictive loan sizes or terms.
State	Industrial Development Revenue Bond: administered by MEDC	Financial assistance to economic development projects.	Used for the purchase of land, building and equipment related to manufacturing.
State	State Revolving Fund: administered by MDEQ	Low interest loans for municipalities to fund wastewater treatment system improvements, storm water treatment projects, and non-point pollution control projects.	Municipality must submit a "Project Plan" in order to be considered.
Local	Revenue Bonds	Revenue bonds are negotiable bonds issued by the community and payable only from the net revenues of the project being financed.	Usually issued to finance public improvement.
Local	Special Assessments	Fee levied by the community within a district for the financing of a local improvement that is of benefit to the landowners who must pay the assessment.	
Local	General Obligation Bonds	Negotiable bonds issued by the community and payable from the ad valorem taxes on all taxable property.	Typically used to fund public improvements.
Local	Tax Abatement	Taxpayer is granted a stay of paying a tax for a short or long term, for a total or percentage of the tax.	Tax abatement is usually available for personal and real property.



Foot Notes

¹ Pg A-3, Comprehensive Plan, 1993

² Pg A-5, Comprehensive Plan, 1993

³ City of St. Joseph Water Management

⁴ City of St. Joseph Wastewater Manager

⁵ American Electric Power

⁶ Michigan Gas Utilities





[Attachments](#)

MINUTES OF THE ST. JOSEPH CITY COMMISSION MEETING HELD IN THE COMMISSION CHAMBERS, CITY HALL, ST. JOSEPH, MICHIGAN ON FEBRUARY 26, 2007

PRESENT: MAYOR GOFF
COMMISSIONERS GAREY, MANDARINO AND RICHARDS
CITY MANAGER FRANK WALSH
CITY ATTORNEY MARK BOWMAN
CITY CLERK PEGGY BLOCK

ABSENT: COMMISSIONER JUDD

Mayor Goff called the regular meeting to order at 6:00 p.m.

Mayor Goff led the Pledge of Allegiance.

Minutes of the Regular Meeting held on February 12, 2007, were approved as presented.
Minutes of the Special Meeting held on February 20, 2007, were approved as presented.

The MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JANUARY, 2007 including the Financial, Police, Fire, Inspection, Engineer, Assessor, Community Development, Public Works, Cemetery & Water Filtration Plant were presented to the City Commission. Mayor Goff complimented staff on the fine reports submitted. Following discussion, Commissioner Richards moved, supported by Commissioner Garey, acceptance of the reports as presented. Roll call resulted as follows: Yeas: Commissioner Garey, Mayor Goff, Commissioners Mandarino and Richards. Nays: None. Absent: Commissioner Judd. . Motion carried.

Finance Director Deb Koroch presented the following invoices/disbursements for February 20, 2007, with a Grand Total of \$899,867.97, of which \$464,665.59 was invoices and \$435,202.38 was Property Tax disbursements. Following discussion, Commissioner Garey moved, supported by Commissioner Mandarino, approval of the payment of invoices/disbursements as presented. Roll call resulted as follows: Yeas: Mayor Goff, Commissioners Mandarino, Richards and Garey. Nays: None. Absent: Commissioner Judd. Motion carried.

The City Attorney presented for consideration an Amendment to Special Use/PUD Permit for 2000 S. State Street. Mr. Bowman provided background on the matter. The developers would like to amend the Special Use/PUD Permit to allow them to build over the 2200 sq. ft. maximum originally negotiated. The Planning Commission held a Public Hearing on January 4, 2007 and voted unanimously to recommend to the City Commission to amend the Special Use Permit/PUD at 2000 South State Street by removing the 2,200 square foot restriction on building size. The matter came before the City Commission on January 22 at which time the City Commission tabled the matter so notice could be sent to the neighborhood inviting them to this Public Hearing in order to get the neighborhood's input on the amendment to the Special Use/PUD Permit. Mr. Bowman advised that the 15-day notice had been sent to residents within the 300 ft. of the project and the City Commission is at this point to conduct a Public Hearing.

Mayor Goff opened the Public Hearing 6:06 p.m. Mayor Goff asked the developers to speak, to get clarity due to the confusion of the drawings which they received, and explain what they wanted to do. Attorney Postelli, representing the developers, tried to explain what the developers wanted but was not sure what drawings were given to the City Commission. Mr. Forestieri approached the Commission table and tried to explain to Commissioner Garey what they intended to do. City Manager Walsh commented that the City Commission had asked for drawings to show them and the public exactly what the developers wanted to do and having none, it was the consensus of the City Commission to delay any action until drawings could be obtained. Mayor Goff asked that full architectural drawings be submitted at least one week before the next meeting. Before voting on the matter, Mayor Goff asked if anyone in the audience wished to speak to the matter. Tom Mance, 911 Price Street, commented that what they have is what they should get. Cheryl Schadler, 2011 S. State commented that tonight demonstrated the disorganization from the developers and what the neighborhood has had to deal with. Tony Iadevaia, 1908 Niles Avenue, commented that what is the difference if it is 2,000, 3,000 or 4,000 as long as they stay within the footprint. Lyle Witte, 2150 Niles Avenue, was impressed with the development and hoped that the plans could be tweaked to improve on the wasted space. Dennis Schatz, Realtor, commented that he had 3-4 families interested and they would like to see the wasted space utilized. Following discussion, Commissioner Garey moved, supported by Commissioner Richards to adjourn the Public Hearing until the next meeting due to lack of information to discuss. Roll call resulted as follows: Yeas: Commissioners Mandarino, Richards, Garey and Mayor Goff. Nays: None. Absent: Commissioner Judd. Motion carried.

February 26, 2007 continued

automatically lift when the short-term zoning and regulatory ordinance amendments become effective, on March 8, 2007 and that no City Commission action is necessary.

Regarding the Master Plan Final Approval, City Attorney Bowman explained that State law currently gives the Planning Commission the authority to give final approval to the City's new Master Plan. The State Law does, however, give the City Commission an option to pass a resolution to the effect that it wishes to assert the right to approve or reject the Plan. It does not take the Planning Commission out of the approval process but if the City Commission wishes to have the final authority over the approval and adoption of the new Master Plan such a resolution needs to be passed. Following discussion, Commissioner Richards moved, supported by Commissioner Garey, that the City Commission wishes to assert its right to accept or reject the City's new Master Plan. Roll call resulted as follows: Yeas: Commissioner Garey, Mayor Goff, Commissioners Mandarino and Richards. Nays: None. Absent: Commissioner Judd. Motion carried.

Assistant City Manager John Hodgson provided an update on the 1302 Main Street project. He advised that this property was a gas station at one time and has environmental issues that are common for a former service station. The Brownfield Redevelopment Authority (BRA) acquired the property from Berrien County, with the goal of cleaning up the property, and at the same time eliminating a nonconforming commercial use in a residential district. Mr. Hodgson advised that The BRA recently solicited bids for the remediation of the property. Six bids were received, ranging from \$49,624 to \$94,985. The Brownfield Authority met on February 22 and awarded the contract to the low bidder, Southwest Transport, from Hartford. The work is being paid completely by the Brownfield Authority. The contractor plans to begin work by mid-March, and expects to finish by mid-April. The building will be demolished, the concrete pad, sidewalks, driveway approaches and curb cuts will be removed, new full-height curbs will be installed, new sidewalks will be installed, and the parcel and the tree lawns will be restored as green space. .

City Manager Walsh provided a brief review of the City's Goals and Priorities, the City's Five-year Capital Projects Fund, the top twenty priorities of the 2006 Citizen Survey results for the City Commission to help them during upcoming 2007-08 budget discussions and setting the tax rate.

Joen Brambilla gave a brief report on the Magical Ice Carving Festival. She advised that the change in the parking restrictions on State Street were great and very beneficial to the downtown merchants. The festival went very smoothly, lots of activity in the downtown area from both tourists and local people. Ms. Brambilla thanked Public Services Director Derek Perry and his staff for all the snow removal and cleanup and their help throughout the entire weekend.

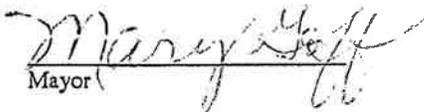
Mayor Goff asked everyone to join her in singing "Happy Birthday" to former Mayor Tom Sparks and encouraged everyone to stay and share cake to celebrate his 99th Birthday.

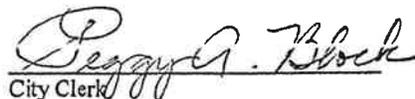
Commissioner Mandarino complimented Sgt. Banasik regarding the nice job he did speaking to St. Joseph students and representing the St. Joseph Police Department.

Following announcements and comments, Commissioner Garey at 7:50 p.m. moved, supported by Commissioner Richards, to go into closed session to approve minutes and discuss pending litigation. Roll call resulted as follows: Yeas: Mayor Goff, Commissioners Mandarino, Richard and Garey. Nays: None. Absent: Commissioner Judd. Motion carried.

Following the closed session, Commissioner Mandarino at 8:10 p.m. moved, supported by Commissioner Garey, to close the closed session and go back into open meeting. Roll call resulted as follows: Yeas: Commissioners Mandarino, Richards, Garey and Mayor Goff. Nays: None. Absent: Commissioner Judd. Motion carried.

Commissioner Richards at 8:11 p.m. moved to adjourn.


Mayor


City Clerk

CITY OF ST. JOSEPH, MI
PLANNING COMMISSION
MINUTES

COMMISSION CHAMBERS

SEPTEMBER 6, 2007
4:30 P.M.

MEMBERS PRESENT

P. HARTZELL
D. HOPP
A. MILLER
B. MICHAELS
B. RICE

MEMBERS ABSENT

S. EBBERT
J. HEPPLER
J. SANDERSON
J. SCHMIDT

STAFF PRESENT

J. HODGSON, ZONING ADMIN.
M. BOWMAN, CITY ATTORNEY
C. DERRINGER, C.B.O.
S. SOLON, COMM. DEV. DIR.
P. BLOCK, CITY CLERK

The September 6, 2007 meeting of the St. Joseph City Planning Commission was called to order at 4:30 p.m. and the sitting members introduced by Chairperson Hartzell.

The Minutes of the August 2, 2007 Meeting were approved as submitted by voice vote.

MASTER PLAN

Chairperson Hartzell, at 4:32 p.m., opened the public hearing to consider the proposed draft of the new Master Plan. Ms. Hartzell explained this is the final stage in the adoption process. The document was submitted to the public for review and the purpose of this hearing is to receive any additional public comment. Chairperson Hartzell explained that the Master Plan will not be voted on at this meeting. The law requires that in order to vote on the Master Plan two-thirds of the membership of the Planning Commission must do so, which equals six of the nine members. She advised that today there are not six members present and therefore the Planning Commission will not be able to vote on the Master Plan today but will take public comment and then will adjourn the hearing until the October meeting. She commented that the minutes will reflect all comments made regarding the Master Plan and all comments will be considered by the Planning Commission at the time it votes in October.

Mr. Chris Cook, Abonmarche, described the Master Plan as a guideline for the City's future development over the next 20 years. In drafting the Master Plan, consideration was given to the City's first Comprehensive Plan from 1976, updated in 1993. Over the past 18 months, community priorities were ascertained through public input and a citizen survey. He stated that four key elements were identified as priorities: 1) to preserve residential neighborhoods; 2) to solidify the downtown and its connection to the waterfront; 3) to protect the City's small town charm; and 4) to improve and expand recreational opportunities.

Mr. Cook noted a few public comments received with regard to the Master Plan. Ms. Peg Harmon expressed concern regarding potential development of Lake Boulevard and the downtown area. Mr. Tom Angelo and Mr. Barclay Johnson submitted correspondence regarding the current commercial use of their properties on Lakeshore Drive and requested the new Future Land Use Map be changed to reflect their current use. Mr. Cook pointed out that Berrien County had also asked that property below the courthouse, along the river, be changed on the Future Land Use Map to be Water Recreation rather than Open Space.

Mr. Cook commented that the FUTURE LAND USE MAPS IN previous Master Plans showed the Angelo and Johnson properties as residential. He reviewed the proposed Future Land Use Map. He explained that the majority of the property in the City is residential, and commercial uses are focused on the downtown and southtown areas. He also pointed out that the parcels that Mr. Angelo and Mr. Johnson are interested in are adjacent to areas shown as institutional and residential. Mr. Cook stated he feels that after the process of developing the Master Plan and the Future Land Use Map, the designations along Lakeshore Drive make sense and are in tune with the community's expressed wishes.

Chairperson Hartzell recognized Randy Rood, who wished to speak on behalf of Berrien County. Before Mr. Rood's presentation, Ms. Hartzell disclosed that she is employed by Berrien County and would not participate in any discussion regarding the County and the County's property. Mr. Rood distributed a written proposal to the Commissioners and explained that Berrien County owns a parcel approximately four (4) acres of land below the courthouse with 1,000 running feet of frontage on the St. Joseph River. The County requests that the Master Plan's Future Land Use Map reflect this parcel with a "water recreation" designation rather than the currently proposed "open space". He advised that there are no current plans to develop this property, however they would like to reserve their future options and believe that it is consistent with the water recreational designation. They see this change as a prerequisite to the process of asking for a rezoning from Open Space to Water Recreation.

Commissioner Hopp asked if he correctly understood that Mr. Rood had indicated that the County has no current plans for the property but would like the flexibility for the future and that the County understands that changing the Master Plan does not change the zoning. Mr. Rood responded in the affirmative to both questions.

Attorney Catherine Kauffman with Troff, Petzke & Ammeson, 811 Ship Street, representing Tom Angelo, referred to her letter of August 13, 2007, which had been provided to the Planning Commission before the meeting. She explained that after writing her letter, she became aware of her client's property's designation in prior future land use maps as residential, along with the use variance granted in 1992. She stated that the Master Plan should govern the use of property in the future and if someone wanted to change the use of this property, the Planning Commission should look to this plan when considering a request. She stated that this piece of property has historically been commercial, and that she believes the trend is toward commercial use on the east side of Lakeshore Drive, noting that Lakeshore Drive is a principal arterial road. The tennis courts adjacent to this property on the previous land use map were depicted as going to single-family residential use, and the new Future Land Use Map has the tennis courts remaining as an institutional use. She felt that the unavailability of adjacent property for residential development lessened the possibility that Mr. Angelo's property could be developed as residential. All factors considered, she expressed the belief that Mr. Angelo's property could not reasonably be considered for residential development, and the future land use map should reflect that reality.

Other factors she asked the Planning Commission to consider include:

- the prioritization of the central business district and the Niles Road commercial districts over Lakeshore Drive;
- the nature of the Kingsley Avenue neighborhood, which is a short street that dead ends into a park adjacent to the high school;

- that it is on a main arterial street;
- what factors are impacting that neighborhood and its viability to remain residential and has it worked;
- the rationale behind the 1976, 1993 and 2007 future land use plans to keep these properties residential when these properties have been used as commercial for years.

Commissioner Hopp asked Mr. Angelo when he bought the property. Mr. Angelo said that he bought the property in 1994. Commissioner Hopp noted that this was two years after the use variance was granted in 1992 and asked Mr. Angelo whether he was aware of the use variance at that time. Mr. Angelo stated that he was not aware of the use variance when he purchased the property.

Attorney John Smietanka, of Smietanka, Buckleitner, Steffes and Gezon, 4265 Niles Rd. representing Barclay Johnson, owner of Tara Florist, 2309 Lakeshore Drive. Mr. Smietanka advised that this property has been consistently used as a commercial use probably since the 1930s. He noted that the existing land use map shows that these two properties as commercial but the future land use map shows them as single-family residential.

John Hodgson, Zoning Administrator indicated that the current land use map shows just that: the actual uses present on the land whether or not they conform to zoning, not the current or desired zoning. Mr. Smietanka stated that he agreed with the points Ms. Kauffman made and that he believes that having these properties shown in the Future Land Use Map as residential is not supported by the heavy traffic patterns. Mr. Smietanka said that this property is composed of five platted lots, that a portion of it was granted a Special Use Permit in 1986 and in 1987 the Planning Commission verified that the Special Use Permit included the operation of Tara Florist and the design operation. He said that he understood that the City had information that indicated that the Johnson and Angelo properties had been commercial uses since the 1930s. Mr. Hodgson said that the 1947 zoning ordinance does not show these properties, but they are visible on 1938 aerial photographs. He said that the Angelo property appeared to be a gas station. Mr. Smietanka said that Mr. Johnson's property was a florist at that time. He hoped that the Planning Commission would look at that corridor in a new light since these properties have been commercial uses since 1930 and that the points they have made show there is a common sense in maintaining in the future land use plan the reality of these properties' current commercial uses.

Commissioner Hopp asked when the Johnsons purchased the property. Mr. Smietanka advised that the Johnsons came to the Planning Commission in the summer of 1986, purchased the land, gave a plan for the property, and made a significant investment in acquiring the property and subsequent improvements. Mr. Hopp asked if it was Mr. Johnson who sought the special use permit and the use variance and if he recognized that when he bought the property that it would require a special use permit and have limited factors on its use. Mr. Smietanka said that Mr. Johnson did seek and obtain the special use permit but it is his very strong view that it has always been used as commercial and should be reflected as commercial on the future land use plan.

Ed Stubelt, owner of Oscar's Printing, 1721 Lakeshore Drive, expressed concern about his property. He has owned the property for eighteen years, and his father had owned it before that. It has been a print shop for 30 years and before that a welding shop in the 1930s, and the property was always commercial. He stated that it concerns him that the plan shows it as an R-1

single-family residential. He did not realize that the property is currently zoned R-1. He recommended that it be changed to commercial because that is what the use is and has always been. He asked if it is commercial and you change it to commercial and in the future he wants to change it to a multi-dwelling or residential use, could it change back to residential.

Chairperson Hartzell explained that every zoning classification has permitted uses. She explained that there will be no zoning changes by the adoption of the Master Plan. It is a document that recommends, plans and guides future development in the City. Mr. Stubelt's property is currently zoned R-1E and has been R-1 for decades, since at least 1964 and that zoning classification would not change by adoption of this Master Plan and Future Land Use map. The Master Plan does not alter the zoning on that property nor prohibit him from asking that the property be rezoned.

Mr. Tom Angelo, owner of Coldwell Banker Anchor Real Estate, 2409 Lakeshore Dr. argued that there are more businesses on the east side of Lakeshore Drive than there are homes. He stated that nobody knew about the Master Plan update and that he was never invited to any meetings regarding the issue. He said that if you come here from Chicago, you're going to come down Lakeshore Drive. He believes that Lakeshore Drive is as much of a business corridor as Niles Avenue. He said most of the homes in the area don't face Lakeshore Drive, they face Pioneer Road. He argued that the issue should be revisited.

Ms. Kauffman asked if the Planning Commission has the final approval of the Master Plan. Chairperson Hartzell indicated that the City Commission has asserted its right under State law to have final approval of the Master Plan.

Mr. Cook responded that feedback received from the public input sessions was overwhelmingly in favor of preserving and protecting residential areas. He said that the uses along Lakeshore Drive from the high school down to LaSalle are residential except for two or three properties. He noted that rezoning these properties to commercial would open those properties up to every use allowed in the commercial district, which could bring different sorts of uses in close proximity to the school and also could increase the amount of traffic in that neighborhood.

Commissioner Hopp observed that the Master Plan is used as a guide and a document that should be considered by decisionmakers as they make decisions about permits and zoning changes. A provision of the Master Plan does not require any particular action to be taken in the future, and does not prevent the Planning Commission from making a zoning change. Mr. Cook agreed that the Planning Commission is not required to perform any future action by the Master Plan. The Master Plan is the vision of today and there could be use changes in the future that would suggest different actions than the Master Plan currently foresees. He reiterated that the future land use map recommended for the Lakeshore Drive area is unchanged from the current and previous versions of the Master Plan. He said that in the future a change may be determined to be appropriate, and at that time the Planning Commission could update the Master Plan or could make a judgment of the day that might differ from the Master Plan.

Mr. Hodgson pointed out that under the current zoning ordinance, the Master Plan is one of the factors to be considered when faced with a rezoning request. He added, however, that Section 22.3 E of the ordinance indicates that if the proposed change is not supported by the Master Plan, but the proposed amendment is reasonable in light of all other relevant factors, then the Master Plan should be amended before the proposed zoning amendment is approved. He noted that

“should” is permissive, not mandatory, and that it is not strictly necessary to amend the Master Plan before making a zoning change, even if it is desirable.

Ms. Hartzell asked what is the role of the Future Land Use Map in relation to the Master Plan. Mr. Hodgson responded that it is a part of the Plan.

Mr. Angelo said that the current zoning devalues his building because he can only sell it for limited uses.

Mr. Miller noted that Mr. Angelo bought the building with the current zoning and the current situation. Ms. Hartzell added that the title search should have revealed the property to be zoned R-1.

Ms. Kauffman commented with respect to the interplay between the Master Plan and Zoning Ordinance and offered the following comments from her experience. 1) if you take actions that are against your Master Plan you start to chip away at the validity of your Master Plan so that when someone comes along and you want to act in accordance with your Master Plan and if you have taken actions against the Master Plan you are opening yourself up to attack on the vulnerability of that Master Plan, and 2) in the event of a takings analysis, expectations can be tied to the Master Plan.

Mr. Stubelt asked if the Planning Commission could say that they think the properties on Lakeshore Drive should be commercial and recommend a rezoning. Ms Hartzell responded that it could not be part of the Master Plan adoption, but would have to go through the rezoning procedure. He could request that his property be rezoned to commercial. Mr. Stubelt said that all the years he’s been paying taxes, nobody has cared he’s commercial, and asked if his taxes were going to be refunded. He said the City should be doing everything it can to help his business.

The public hearing was adjourned at 5:18 p.m., to be resumed at the regular October meeting. At the request of Chairperson Hartzell, Attorney Bowman clarified that the opening and closing of a public hearing traditionally marks the conclusion of public comment, but that the Planning Commission members could continue to discuss the issues presented at the public hearing.

Mr. Hopp stated that he would not be at the October meeting and for that reason he would like to state his views regarding the adoption of the Master Plan. He believes that the Master Plan overall very much reflected the citizen input we received and the strong views of our community in favor of residential properties. He thinks that the current version of the Future Land Use Map is appropriate. He feels that the impact of this Master Plan on properties that have occupied most of the discussion is very small and represents no change from the previous Comprehensive Plan, no change in the zoning map, and does not change the status quo for anybody who has property subject to a Special Use Permit or a non-conforming use or use variance. He believes that in the long term, residential is the appropriate use for this area. By this action nothing changes, it remains status quo and continues a situation that has existed for many years. People can still request zoning changes, and perhaps decisionmakers will be persuaded on individual cases, but at this time he is not persuaded

Mr. Miller asked what authority does the Planning Commission have for this Future Land Use Map, as to the content of it or seeking or making a recommendation.

Mr. Hodgson advised that for the purpose of this meeting, the Planning Commission has complete authority. He advised that this is the meeting to review the comments received from citizens and governments over the last few months and to consider changes, and the Planning Commission can direct any changes that it feels to be appropriate. Mr. Bowman advised that although changes can be made to the draft, the final adoption cannot take place until there are six Planning Commissioners present.

Chairperson Hartzell asked if anyone wished to comment on the County issue or is there any need to address, reference or incorporate anything anywhere in the plan regarding the issue of long standing existing non-conforming uses which are acceptable and come up in these context with regard to the Master Plan or outside the Master Plan. She asked Mr. Hodgson if there was any need for relief or language to address this issue in our ordinances.

Mr. Hodgson commented that the addressing the issue of nonconforming uses, while not a primary focus of the Master Plan, is not inappropriate. He stated that there are different ways to look at nonconformities and advised that the current ordinance is written fairly strictly to discourage nonconformities. However if the community thinks it's more appropriate to allow nonconformities to continue under certain circumstances or even to be expanded in some fashion, then the zoning ordinance could be amended to reflect that view. If the Planning Commission felt such an amendment to the zoning ordinance were appropriate, a reference to such change could be included in the Master Plan.

Mr. Michaels asked for clarification as to what are the options available to the owners of these properties on Lakeshore Drive. Mr. Hodgson responded that it varies from property to property. There are several different circumstances. Mr. Angelo's property has a use variance and that means it is allowed to have office uses on that site. Because it is a use variance it is not tied to that structure and it is not viewed as a non-conformity. The existing structure may be demolished, remodeled, added to, subtracted from, so long as any changes take place within the other district dimensional boundaries of an R1 District such as height and front, rear and side yard setbacks. The property can be used for any office use. If it ceased to be an office use and went to residential, the use variance would expire.

As far as the Tara Florist property is concerned, it is a different situation. It is composed of five lots, three lots on Kingsley Avenue and two facing Lakeshore Drive. The westernmost three parcels have a 1986 Special Use Permit to convert to offices. Mr. Hodgson reported that the 1987 site plan approval refers to a small greenhouse that is incorporated as part of the office, which is awkward because a florist was not a permitted use under the ordinance in a R1 District at that time. But it is there, and the property can continue to exist as a florist in its current shape on the westerly three lots, and it can be converted to an office structure in conformance with that site plan. If the structure was demolished, it can be rebuilt in conformance with that site plan but the site plan cannot be amended. Under the current ordinance the 1986 Special Use Permit does not expire. He advised that the easterly two parcels do not seem to be included in the Special Use Permit and are simply R1.

Mr. Hodgson explained that there are other properties that have Special Use Permits such as Keystone Designs and Lakeside Realtors. They have Special Use Permits and they may continue to exist on their present site in their present form. If they were demolished they could be rebuilt exactly on the same footprint and the site plans cannot be changed for either property.

City staff has been unable to locate any special use permits or other permits for Oscar's Printing, the Hair Station and Roxy's. City records indicate that in the 1947-1955 timeframe the Oscar's and the Keystone Design properties were zoned commercial. It appears that the zoning of these properties was changed to residential between 1955 and 1964 and has remained residential.

Mr. Hopp advised that he would be in favor of changing the Future Land Use Map designation of the property owned Berrien County from Open Space to Water Recreation, which is less restrictive.

Following discussion, it was a consensus of the Planning Commission to direct that the change on the Berrien County property from Open Space to Water Recreational be made to the draft Master Plan Future Land Use Map which will be considered on October 4, 2007.

There being no further discussion on this issue, Chairperson Hartzell reminded those present that the public hearing on the Master Plan had been adjourned and would be resumed at the October 4th, 2007 meeting at 4:30 p.m. and advised that notice will be posted and published.

**PUBLIC HEARING – PROPOSED ZONING ORDINANCE
AMENDMENT – ARTICLE IV - Downtown Uses**

Chairperson Hartzell opened the public hearing at 5:32 p.m. on Proposed Zoning Ordinance Amendment – Article IV – Downtown Uses. She advised that Zoning Administrator John Hodgson presented for review and consideration changes to several areas to Article IV, Section 4.6.1 of the Zoning Ordinance. She reminded the Planning Commission that this had been discussed in the August meeting and that the Planning Commission had directed staff to prepare this amendment.

Hearing no comments, Chairperson Hartzell closed the public hearing at 5:33 p.m.

The ordinance amendment is as follows:

**City of St. Joseph
 Berrien County, Michigan**

An ordinance to amend the City of St. Joseph Zoning Ordinance

THE CITY OF ST. JOSEPH ORDAINS:

1. The Zoning Ordinance is amended by replacing the "Convenience Retail Establishments" portion of Article IV, Section 4.6.1, Table 4-1, with the following:

Amend:

USE CLASSES & DEFINITIONS	EXAMPLES OF USES PERMITTED	PERMITTED DISTRICTS
Convenience Retail Establishments A retail establishment offering for sale prepackaged food products.	Party stores; drug stores; grocery stores; bakeries; delicatessens; magazine and newspaper stands; consumer-oriented packaging and	"P" in C, CO, D "PUD" in W

<p>milk, bread, donuts, sandwiches, beverages, newspapers and magazines, household items, pharmaceuticals, and other items for off-premises consumption. <u>This includes similar establishments providing convenience services primarily geared toward individual, rather than business use, such as walk-in packaging, shipping and mailing services; facsimile services; mailbox rental; and photocopying.</u> These are usually short-trip, high-volume uses not more than 3,500 square feet in size. A convenience retail establishment can share a Building with another use, such as an automobile service station.</p> <p>Drive-through establishments are not convenience retail establishments.</p>	<p><u>mailing stores.</u></p> <p>Other retail establishments similar to and compatible with the above establishments.</p>	
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2. The Zoning Ordinance is amended by replacing the “Office Establishments” portion of Article IV, Section 4.6.1, Table 4-1, with the following:

Amend:

USE CLASSES & DEFINITIONS	EXAMPLES OF USES PERMITTED	PERMITTED DISTRICTS
<p>Office Establishments Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, financial services. Accessory Uses may include cafeterias and health facilities established primarily to service the needs of employees on the premises.</p>	<p>Financial institutions: lenders, brokerage houses, banks; insurance offices; real estate offices; offices for attorneys, accountants, architects, engineers and similar professionals; government offices; <u>and</u> Public Utility offices,</p> <p>Automated teller machines and similar self-service automated kiosks located within a Building or Structure or as a pedestrian walk-up only (no drive-through use).</p> <p>Other office establishments similar to and compatible with the above establishments.</p>	<p>"P" in CO, C, D "PUD" in W</p>

Deleted: ; and telemarketing sales offices

All other ordinances or parts of ordinances in conflict with this amendment are repealed.

This ordinance shall take effect 10 days after its final passage.

Following the review, a motion was made by Commissioner Hopp, supported by Commissioner Michaels, that the Planning Commission agreed with all the changes to Article IV as presented and

outlined in Mr. Hodgson's memo dated August 24, 2007 and the aforementioned ordinance amendment and recommend to the City Commission approval of the proposed changes.

Voting "yes", Mr. Hopp, Mr. Michaels, Mr. Miller, Mrs. Rice and Ms. Hartzell. Voting "no", none. Motion carried.

OTHER BUSINESS

Discussion took place regarding gardens and vegetable stands in residential districts which the ordinance does not address as a use. The property in question is located at the northwest corner of South State Street and Petrie Avenue. Mr. Hodgson advised that the lot used to have a house on it but it is now a garden. Ms. Hartzell noted that the owner of that property lived on Botham Avenue and not on South State Street as staff originally thought. Mr. Hodgson advised that this issue was raised by a citizen complaint regarding both the garden itself and the selling of produce. The complainant was a realtor who felt that the periodic placement of a table on the tree lawn was not consistent with the City's treatment of realtor and other signs, which are prohibited from being placed on the tree lawn or other public property.

Planning Commission felt that this issue is regulatory in nature and not a zoning issue. Ms. Hartzell asked if these can be dealt with through regulatory ordinances and not return to the Planning Commission. It was the consensus of the Planning Commission that issues such as this are more appropriately addressed through regulatory ordinances.

Mr. Hodgson said he agreed that this did not require immediate attention especially with the growing season ending, but that he felt there were some questions of use that should be reasonably considered through the zoning ordinance, and that he would consider bringing this back to the Commission's attention in a subsequent meeting.

Chairperson Hartzell reminded everyone of the notification with regards to training and encouraged them to attend if they can. All members present, with the exception of Mr. Hopp, advised that they would be in attendance at the October meeting. Mrs. Rice advised that she would be absent in November.

There being no further business, meeting adjourned at 5:45 p.m.

Respectfully submitted,

Peggy A. Block
Recording Secretary

CITY OF ST. JOSEPH, MI
PLANNING COMMISSION
MINUTES

COMMISSION CHAMBERS

OCTOBER 4, 2007
4:30 P.M.

MEMBERS PRESENT

S. EBBERT
P. HARTZELL
J. HEPPLER
D. HOPP
A. MILLER
B. MICHAELS
B. RICE
J. SANDERSON

MEMBERS ABSENT

D. HOPP
J. SCHMIDT

STAFF PRESENT

J. Hodgson, Zoning Admin.
M. Bowman, City Attorney
C. Derringer, C.B.O.
S. Solon, Comm. Dev. Dir.
P. Block, City Clerk

The October 4, 2007 meeting of the St. Joseph City Planning Commission was called to order at 4:30 p.m. and the sitting members introduced by Chairperson Hartzell.

The Minutes of the September 6, 2007 Meeting as submitted were approved by voice vote.

MASTER PLAN

Chairperson Hartzell, at 4:32 p.m., reopened the adjourned public hearing to consider the proposed draft of the new Master Plan. Additional public comment was taken.

Attorney Jerry Johnson, 904 Main Street, representing Mr. and Mrs. Dennis Bauer, owners of the Hair Station, 1801 Lakeshore Drive, advised that he had met with Mr. Hodgson regarding this particular piece of property and expressed their concerns regarding its designation on the Future Land Use Map in the proposed new Master Plan. Mr. Johnson provided background on the property noting that it is a triangular lot zoned R-1 residential. Since the 1940's the site has been used for commercial businesses such as a gas station, landscaping business office, and the last 30 years as a barber shop. Mr. Johnson stated that the property is not suitable for residential and if or when Mr. Bauer tries to sell the building, since it is a non-conforming use, he can only sell it to a barber shop. If he cannot sell it as a barbershop, there is no use for the building as it cannot be used for a residence on a 3400 sq. ft lot that is triangular. Attorney Johnson stated that he guessed the width of this property is approximately 100' x 68.8' deep and the depth at the center of the triangle is approximately 34.4'. If Mr. Bauer cannot use the property for another small business besides a barber shop, he will lose the value of his property.

Attorney Johnson stated that the Bauers do not expect a zoning change on this property to commercial since that would open up the property to anything that is available under the ordinance. However, the Bauers are in a difficult situation along with other commercial businesses along Lakeshore Drive and allowing current uses of these properties to continue adds to the character and charm of the community. He stated that the Master Plan should address those properties that have always had commercial uses but are zoned residential and protect these businesses and their investments along Lakeshore Drive and other places throughout the City.

Attorney John Smietanka, of Smietanka, Buckleitner, Steffes and Gezon, 4265 Niles Rd. representing Barclay Johnson, Tara Florist, 2309 Lakeshore Drive, gave a brief summary of his

concerns expressed at the September Planning Commission meeting. Mr. Johnson does not feel that they are in danger of having their business taken away. His major concern is the nature of the road, Lakeshore Drive, Business Loop I-94, as a commercial route maintained by the state, which has been a "blended community", for as far back as the 1920's. This property and other properties like it along Lakeshore Drive have been commercial in their use continuously for years. Mr. Smietanka likened to the Harbor Shores development with its blend of businesses, single-family, rentals and various commercial uses. He stated that St. Joseph has this tremendous blend already along Lakeshore Drive in a very effective way. He urged the Planning Commission to take into consideration what reality has been and allow it to be continued. Mr. Smietanka stated that the charm of the community is not just residential but that it also has small businesses in the neighborhoods creating a base for continuing attractive development in the community.

Attorney Catherine Kaufman with Troff, Petzke & Ammeson, 811 Ship Street, representing Tom Angelo, stated that she appreciates the amount of work done on the Master Plan and that it is an excellent document and hopes that some language can be incorporated into the document to reference the Lakeshore Drive corridor and the discussions had with the business owners to quantify how unique these characteristics are to the community. The small level of commercial use seems appropriate and has worked well. She encouraged some implementation technique to manage these uses in the future such as zoning, developing special use criteria or text amendment to acknowledge this type of situation.

Ed Stubelt, owner of Oscar's Printing, 1721 Lakeshore Drive, advised that he has retained Attorney John Dewane and has requested a zoning change on this property which is on the November 1st Planning Commission agenda. The requested change is to R-2 with a Special Use Permit from Light Industrial. His reasoning was that in looking at the new Master Plan the City, he feels the City does not want small businesses along this corridor and indicated that he did not need to fight that but would like to protect the value of his property and felt that it was the best way to address the situation.

Chairperson Hartzell presented for discussion her concerns about existing non-conforming uses along Lakeshore Drive and the need for some language in the Master Plan that reflects the fact that the City has non-conforming uses on Lakeshore Drive and elsewhere that have been continuous and acceptable for many years. She stated that the issue should be addressed in the Master Plan. She advised that Abonmarche and City staff were consulted, and language was prepared that could be included in the Master Plan that would give some flexibility to address the issue of long-standing non-conforming uses. The proposed additional language is as follows:

Possible Addition to "Goals and Objectives, I.A.3" ---- Page 80

3. In recognition of the number of nonconformities in the City, amend the Zoning Ordinance to reflect a philosophy of allowing existing nonconformities to continue, to be maintained and economically and to function until voluntarily reduced or eliminated. The specifics of the zoning ordinance amendment would require additional consideration to ensure that the interests of the nonconformities and the neighboring properties are properly balanced, the following are examples of possible provisions which could be incorporated into an amendment:

- Allow a non-conformity to be recognized through a formal approval process.
- Allow a non-conformity to be re-established following damage or destruction.
- Allow a non-conformity to be reduced without being brought completely into conformance with the ordinance.
- Allow a non-conformity to be altered or expanded under certain conditions.

Ms. Hartzell commented that this language goes a long way in addressing concerns that have been raised and opens it up for opportunity and flexibility.

Mr. Hepler commented that the language does a good job of reaching the goal and while it does not cover all bases, it is a good attempt to satisfy this issue. He favored including the language in the Master Plan. The uses have been and accepted for a long time and this language change will help in a way that it permits them to continue.

Mr. Michaels commented that the language wording allows flexibility under certain circumstances and gives the City latitude to address concerns that the property owners have expressed.

Ms. Hartzell reviewed an example of where this language would be helpful in giving flexibility to exercise discretion in making decisions regarding non-conforming uses.

Ms. Hartzell questioned portions of sentences two and three of the proposed text which read "to continue, to be maintained and economically and to function". John Hodgson, Zoning Administrator, clarified that he intended it to read "...to continue to be maintained and to economically function".

Mr. Sanderson questioned the way the language was worded and was looking for clarification. Zoning Administrator Hodgson commented that the second sentence is more of an explanation than you would normally find in the Goals & Objective section of the Master Plan. Regarding the four comments allowing a non-conformity, Mr. Sanderson questioned whether or not a process should be established recognizing the non-conformity and the rationale behind it. Mr. Hodgson explained that staff has received comments from people that when they possess a non-conformity they run into difficulty financing or refinancing the property and recognizing it in its present form would demonstrate to others that the use is tolerated and not at risk.

Mr. Miller inquired about the process involved in recognizing a non-conformity. Mr. Hodgson stated that he had the PUD process in mind thereby tying it to a site plan. Ms. Hartzell commented that it would not be an approval but rather a formal acknowledgement of its existence for those purposes.

Mr. Bowman stated that the approval process is part of the plan and Zoning Administrator would work up language to come back to the Planning Commission at a later date. He felt that Mr. Hodgson's suggestion that something similar to a Planned Unit Development (PUD) process that gives a certain designation to a parcel without rezoning the parcel was an appropriate approach. He commented that whether the language says approve, accept, or acknowledge, all the language expresses the intent that some mechanism will be put in place at a later date. Staff will come up with the details.

Chairperson Hartzell provided additional language that was suggested for the Master Plan text as well. The text is as follows:

Possible Addition to "Future Land Use – Single Family Residential" ---- Page 91

The Single-Family Residential area on the Future Land Use map includes the entire R2 Two-family Residence zoning district. This is not intended to imply that the R2 district should be eliminated in the future, but instead to recognize that the boundaries between the R1 and R2

districts are likely to change as a result of voluntary conversions of existing duplexes to single-family homes. The R2 use is more intense than R1, and in recognition of that reality future rezonings--whether from R1 to R2 or vice versa--should take place in such a way as to enlarge or reduce the contiguous R2 districts, but not in a way that fragments an existing district into disconnected sections.

However, in some special circumstances, it may be appropriate to allow an R2 zoning in the R1 district. This would typically not be appropriate in the middle of a neighborhood, but it might be reasonable in the event that a parcel has some combination of physical or neighboring use characteristics that set it apart from neighboring single-family properties and makes it less desirable for that use, but which could be a viable two-family property.

The language recognizes that there are areas in the City with these concerns which may require special consideration. This is an attempt to give flexibility when warranted.

Mr. Sanderson acknowledged that the concept is excellent and gives flexibility to the Master Plan. The consensus of the members concurred with Mr. Sanderson.

Attorney Smietanka asked if the first language proposed was language that is still being worked on. Ms. Hartzell responded based on the consensus of the Planning Commission, the language presented at the meeting is the language which will be included in the Master Plan. The City Commission has final approval of the language.

Mr. Chris Cook, Abonmarche, pointed out that the new Future Land Use Map which was provided, showed the County property below the bluff behind the Courthouse building is now listed as WRD instead of OS based on the consensus of the Planning Commission at the September Meeting.

Chairperson Hartzell closed the public hearing at 5:08 p.m.

Chairperson Hartzell expressed how much the Planning Commission appreciated all the hard work of Abonmarche, Mr. Hodgson, City staff and Attorney Bowman during the approval process which has produced a fine product. She repeated the comments made by Mr. Hopp at the last meeting noting that the Master Plan is a very viable plan and a good guide for years to come.

Mr. Miller commented that it is a great product and with the specific change discussed today will alleviate a lot of the concerns expressed about the Future Land Use Map. Mr. Miller stated that it is his view that the special uses were reviewed individually and weighed individually as that use not as a commercial use but that specific use.

Mr. Hodgson recognized Ms. Susan Solon who directed the Master Plan process. Ms. Hartzell acknowledged Ms. Solon for all her hard work.

Following discussion, Mr. Sanderson moved to recommend adoption of the Master Plan to the City Commission including the revised Future Land Use Map, addition to "the Goals & Objectives" text including the corrections -- Page 80 and the addition to "Future Land Use -- Single Family Residential" -- Page 91 as submitted. Mr. Heppler supported the motion.

Mr. Hodgson and Attorney Bowman explained that the Planning Commission under statute technically approve the plan and then it is sent to the City Commission who has the final say on the plan.

Mr. Sanderson amended his motion to adopt the plan, not recommend adoption, including additions previously stated. Mr. Hepler amended his support of the motion to adopt the plan including additions.

Voting "yes": Mr. Ebbert, Mr. Hepler, Mr. Michaels, Mr. Miller, Mrs. Rice, Mr. Sanderson and Ms. Hartzell. Voting "no": none. Absent: Mr. Hopp and Dr. Schmidt.
Motion carried.

OTHER BUSINESS

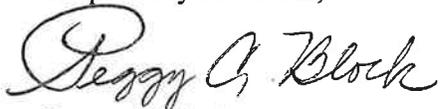
Mr. Hodgson advised that the January 3rd and April 3rd, 2008 meeting dates fall during school breaks and asked if the Commission wished to change those dates to the second week of January and April. Mr. Hodgson also advised that the November meeting agenda has a potential to be a long agenda with seven possible items. Mr. Hodgson briefly reviewed the possible agenda items. The board discussed the possibility of revising the deadlines to give more time for submissions. Following discussion, the consensus of the Commission was to change the January and April meeting dates and that the submission deadline and November meeting dates should remain as originally scheduled and that any submissions that failed to make the deadline would be on the December agenda.

Following discussion, Mr. Sanderson moved, support by Mr. Miller, to move the January 3rd, 2008 meeting to January 10, 2008 and the April 3rd, 2008 meeting to April 20, 2008.

Voting "yes": Mr. Hepler, Mr. Michaels, Mr. Miller, Mrs. Rice, Mr. Sanderson, Mr. Ebbert and Ms. Hartzell. Voting "no": none. Absent: Mr. Hopp and Dr. Schmidt

There being no further business, meeting adjourned at 5:30 p.m.

Respectfully submitted,



Peggy A. Block
Recording Secretary

CITY OF ST. JOSEPH, MI
PLANNING COMMISSION
MINUTES

COMMISSION CHAMBERS

NOVEMBER 1, 2007
4:30 P.M.

MEMBERS PRESENT

S. EBBERT
P. HARTZELL
D. HOPP
A. MILLER
B. MICHAELS
J. SANDERSON

MEMBERS ABSENT

J. HEPPLER
B. RICE
J. SCHMIDT

STAFF PRESENT

J. Hodgson, Zoning Admin.
M. Bowman, City Attorney
C. Derringer, C.B.O.
P. Block, City Clerk

The November 1, 2007 meeting of the St. Joseph City Planning Commission was called to order at 4:30 p.m. and the sitting members introduced by Chairperson Hartzell.

The Minutes of the October 4, 2007 Meeting as submitted were approved by voice vote.

REZONING REQUEST – 1721 LAKESHORE DRIVE

Chairperson Hartzell, at 4:32 p.m., opened the public hearing to consider a request from Edwin and Silvana Stubelt, owners of 1721 Lakeshore Drive, to have their property rezoned from R1-E to R2.

Attorney John Dewane, representing Mr. and Mrs. Stubelt, owners of Oscar's Printing, reviewed a diagram presented to the City Commission on Monday, October 29, 2008 which shows the location of Oscar's. They are requesting this property be rezoned from R1 to R2 to allow the building of a 2-unit condominium on that property. It is currently zoned R1 but is used as Light Industrial. The property is a non-conforming use in a residential district and has been used as a filling station in the past. He explained that granting this change would give the property owners incentive to change from the current light industrial use to a residential use which is consistent with the draft Master Plan currently under consideration.

Commissioner Ebbert asked if there was an actual plan in hand for the 2-unit condominium. Attorney Dewane responded that no plan is in hand at this time.

Mr. Joe Schulz, 427 Howard Avenue, commented that the property is zoned R1 now and he sees no reason for it to be changed to R2. There is no other R2 in the area, no purpose to be served and it would be negative to the neighborhood.

Mr. Bennett Schaab, 432 Howard Avenue, commented that it is his understanding that the City has a policy in place to reduce the number of multi-family dwellings and promote conversions to single-family homes.

Chairperson Hartzell responded that she does not know of any City policy supporting the elimination of R2. She advised that constitutionally, all appropriate recognized land uses must be allowed in the City but recognized there has been a move to convert some multi-family units back to single-family.

Zoning Administrator Hodgson advised that there is no policy to eliminate R2 zoning but the City Commission has encouraged the return of non-conforming two-family units in R1 zoning to return to single-family uses.

Attorney Dewane responded that the contemplated Master Plan encourages multi-family development. Currently this property has a Light Industrial use inconsistent with the current designated R1 zoning. However, if rezoned to R-2, Mr. and Mrs. Stubelt would have an incentive to change to this and improve the situation. He advised that there is one 4-unit structure and one 2-unit structure in the neighborhood.

Mr. Schulz clarified that the 2-unit in the area is currently being used as a two-family dwelling and is grandfathered under the ordinance as is Oscar's. Once it ceases to be used as a 2-unit it will revert to an R1 and that is what the neighbors expect.

Commissioner Miller stated that ideally he would prefer to see the property used as R1, but he expressed concern that it is not economically feasible to do so. It is an attractive location with an uninterrupted view of Lake Michigan and he feels that an R2 application would be more economically feasible to displace the light industrial use that is there.

Commissioner Hopp agreed that while not an ideal resolution it is preferable to a light industrial use.

Commissioner Sanderson commented that the 1993 Comprehensive Plan had a goal of developing land for residential use, which is often the most desirable use but is not always a realistic approach. He noted that there is a light industrial use there now which is not the most desirable application even though Oscar's has been a good neighbor. He felt rezoning to R2 would be a step in the right direction.

Chairperson Hartzell closed the public hearing at 4:40 p.m.

Following discussion, Commissioner Miller moved, supported by Commissioner Hopp, to recommend to the City Commission that 1721 Lakeshore Drive be rezoned to R2 residential.

Voting "yes": Mr. Ebbert, Mr. Hopp, Mr. Miller, Mr. Sanderson and Ms. Hartzell. Voting "no": Mr. Michaels. Absent: Mr. Heppler, Mrs. Rice and Dr. Schmidt. Motion carried.

SIGN REQUEST – 2939 NILES AVENUE (DINO'S RESTAURANT)

Tim White of RWL Sign Co., 6185 W. KL Avenue, Kalamazoo, MI, presented a request for sign approval for a refurbished sign at Dino's Restaurant. The existing sign is 5' x 10', 50 sq. ft. total. They plan to remove the current brick structure, replace it with two pillars, and add a 2' x 10' manual message board underneath the existing sign atop the pillars. The sign will be taller and removing the brick structure will improve vision at the driveway entrance. The proposed sign is 70 sq. ft. total, which requires approval since it exceeds the ordinance maximum of 32 sq. ft. Mr. White displayed a current photograph of the sign and a rendering of how the proposed sign would look.

Commissioner Sanderson asked if there would be flashing lights. Mr. White responded that there would be no flashing lights.

Following discussion, Commissioner Hopp moved, supported by Commissioner Michaels, to grant approval of the sign request with the condition that no banners or temporary materials be strung between the support posts and the current brick base being eliminated.

Voting "yes": Mr. Ebbert, Mr. Hopp, Mr. Michaels, Mr. Miller, Mr. Sanderson and Ms. Hartzell. Voting "no": none. Absent: Mr. Heppler, Mrs. Rice, and Dr. Schmidt.

PLANNED UNIT DEVELOPMENT REQUEST – HARBOR SHORES – PARCEL 4

Chairperson Hartzell opened the public hearing at 4:50 p.m. on the matter of the Harbor Shores – Parcel 4 - Planned Unit Development request.

Mr. Bob McFeeter, Evergreen Development, representing Harbor Shores Redevelopment Inc., reviewed drawings submitted for a Planned Unit Development (PUD) approval to place three golf holes on Parcel 4, which is located east of M-63, north of the CSX Railroad. There are no utilities proposed at this time, nor any residential use. The request is strictly for three holes of the golf course and the drive entrance onto M-63. Mr. McFeeter advised that the center portion of the three holes will eventually be residential and Harbor Shores will file for a PUD amendment when the residential plan is ready for consideration. They feel that the granting of this PUD will be a recognizable and substantial benefit to the City of St. Joseph and residents of the area.

Commissioner Sanderson asked about the electric power sub-station. Mr. McFeeter advised that it will be removed and AEP will be relocating it.

Commissioner Ebbert noted that the Harbor Shores Development is in flux due to the recent National Parks Service rejection of the Jean Klock Park portion of the project and stated his concerns about the overall plan for Harbor Shores. Mr. McFeeter responded that more information is necessary to satisfy the National Parks Service, but he feels that they understand the issues. He is confident they will be addressed. The property would be deeded back to the City if not used, but he expressed his strong belief that the project will go forward and be built.

Commissioner Miller asked about the utilities to be installed. Mr. McFeeter explained that no utilities will be installed as this time. Storm sewers will be installed when the residential development takes place. Drainage is being installed for the golf course which has been designed by the Michigan Department of Environmental Quality and will go to retention basins before being discharged into the waterway.

There was no public comment.

Chairman Hartzell closed the public hearing at 4:58 p.m.

Commissioner Miller asked Mr. Hodgson about the environmental issues he raised. Mr. Hodgson explained that this PUD application has no actual structures on the property or any traditional development but consists of three holes of a golf course and a driveway. He said that City staff actually suggested that the PUD be requested in this form and at this time to secure the location of the driveway from M-63. The property itself is primarily the former Ausco property and has some environmental issues. The City received a grant from the state to put down an isolation zone several years ago which is being incorporated into this project. As the grading is taking place, an isolation zone will be laid into place across the golf course. City staff thought it would be a better approach to secure approval of the entryway in an acceptable location. This in turn assures this isolation zone would not be disrupted if it were necessary to place the drive in a different location. Requesting the approval at this time allows the environmental remediation to take place in a cost-effective manner.

Commissioner Ebbert noting that the Harbor Shores development is in a Water Recreational area, a zoning classification which was developed to give the City more control of what is built along our waterfront and to foster pedestrian access to the waterfront. He commented that in this area numerous walking paths have been created. He stated Harbor Shores provides an excellent opportunity to continue that system on this parcel along the waterfront and possibly connecting to areas across M-63. He would like to see some sort of public pedestrian access to the Paw Paw River.

Following discussion, Commissioner Sanderson moved, supported by Commissioner Michaels, to recommend that the City Commission approve the PUD for the construction of three holes of the golf course subject to the necessary approvals of the DEQ, Army Corps of Engineers and any/all other appropriate entities.

Voting "yes": Mr. Michaels, Mr. Miller, Mr. Sanderson and Ms. Hartzell. Voting "no": Mr. Ebbert. Abstained: Mr. Hopp. Absent: Mr. Heppler, Mrs. Rice and Dr. Schmidt. Motion carried. Mr. Hopp abstained from the discussion and voting on the matter due to his employment at Whirlpool Corporation, which has significant involvement in the Harbor Shores project.

SIGN REQUEST – 143 ANCHORS WAY

Attorney Mike Bell, Desenberg, Colip & Bell, 225 E. Front St., Buchanan, representing the developer of the Harbor Isle Resort Project at 143 Anchors Way, presented a request for permission to erect a 16' x 24' (384 s.f.) construction sign. Permission is required for signs over 32 s.f. Attorney Bell reviewed pictures of the proposed sign, its intended location and setbacks. The sign will be 3' off the ground, for a total of 19 ft. in height from ground level. Mr. Bell explained that it is vital for the developer to be able to identify that space as the future home of the building that will soon be under construction as a majority of the prospective purchasers may not be from southwest Michigan. He stated it is important that the sign pinpoint the location and direct people to the site. It will be illuminated from the ground. Attorney Bell advised that this is a temporary sign and anticipated a need for the sign for 3 years. They are however, willing to an annual review of the sign permit. They are also working with City staff members on some structural issues.

Cecil Derringer, Chief Building Official advised that the sign's footings would have to be substantial to hold a sign 16' x 24' and that there are engineering concerns about a sign that large. Engineered drawings of the footings are necessary for the City's approval of the sign.

Commissioner Miller asked if there is an anticipated time when the building will be recognizable enough on its own without the sign. Attorney Bell responded that hopefully it will be earlier than 3 years but felt that it is important to convey the message about this upcoming project because it is so different from what is on the property now.

Commissioner Sanderson asked if there were any other signs this size in the area. City staff commented that the only signs close to that size are the billboards in the community. Don Hicks, Hicks Sign Company, present in the audience, indicated that the billboards in the City are approximately 12' x 40'.

Planning Commission members expressed concerns with the overall size of the sign and duration of time requested for the permit. Attorney Bell was willing to reduce the size of the sign, noting that it must be large enough for people to see it and suggested 12' x 18' (216 s.f.) and suggested a 1 year permit with an annual review.

Following discussion, Commissioner Hopp moved, supported by Commissioner Michaels, that the amended request for a 12' x 18' (216 s.f.) sign, erected 3' off the ground, for a 1 year duration with an option to reapply be approved, contingent on the necessary engineering requirements being met.

Voting "yes": Mr. Ebbert, Mr. Hopp, Mr. Michaels, Mr. Miller, Mr. Sanderson and Ms. Hartzell. Voting "no": none. Absent: Mr. Heppler, Mrs. Rice, and Dr. Schmidt. Motion carried.

SIGN VARIANCE – 2912 NILES AVENUE – BANNER/PARABLE BOOKS

Don Hicks, Hicks Sign Company, requested a sign variance for an electronic message board sign at this location. He advised that the sign will remain in its present location and at its current size with the upper portion being re-skinned to reflect the changed name of the establishment. They propose adding an LED message board component to the existing cabinet which requires a variance from the sign ordinance. The messages will look similar to those on the Chemical Bank sign, Dairy Queen sign and Edgewater Bank sign as opposed to the Signature Toyota sign in Benton Township.

Following discussion, Commissioner Miller moved, supported by Commissioner Michaels, to grant the sign variance under Section 25-9 of the Zoning Ordinance for 2912 Niles Avenue.

Voting “yes”: Mr. Ebbert, Mr. Hopp, Mr. Michaels, Mr. Miller, Mr. Sanderson and Ms. Hartzell. Voting “no”: none. Absent: Mr. Heppler, Mrs. Rice, and Dr. Schmidt. Motion carried.

PLANNED UNIT DEVELOPMENT AMENDMENT REQUEST – 1221 BROAD STREET

Chairperson Hartzell at 5:30 p.m. opened the public hearing on the matter of 1221 Broad Street – Planned Unit Development Amendment request.

Matt Vernon of TMV Properties, LLC and Christopher Brooks, architect with Brooks Architectural, Inc. presented a request for the approval of a Planned Unit Development (PUD) at 1221 Broad Street, the Klug Heating & Cooling building. They plan to add a two-story addition on top of the existing structure and build a new four-story structure creating 11 residential units ranging from 1400 s.f. to 1700 s.f. It will have a ground-level indoor garage, one indoor and one outdoor parking space per unit, a roof top deck for owners’ use and an elevator accessible from the indoor garage.

The developers requested four waivers/variances/conditions from Ordinance requirements:

- 1) reduction in the front yard setback from 15’ to 1’10” for both the existing structure and new structure;
- 2) reduction of rear yard setback from 5’ to 4’10” for the existing structure;
- 3) an increase of the PUD permit length from 12 months to 18 months; and
- 4) allow 10 of the 22 parking spaces be reduced to 9’3” and 6 of the spaces reduced to 9’2” wide rather than 10’ and allow the aisle behind 6 parking spaces to be reduced to 22’ rather than 24’.

There will be 3 units on the 2nd floor; 4 units on the 3rd floor; and 4 units on the 4th floor. Mr. Brooks reviewed the landscape plan for the exterior. The access drive is 25’8” wide with entrance and exit off Broad Street. Staff had concerns regarding the close proximity of the Leco/Clementine driveway and Mr. Vernon indicated that he would work with the adjacent property owners in the hope of developing a joint easement shared by both properties. Their goal is to create a development that blends with the atmosphere of the existing riverfront developments.

There was no public comment.

Chairperson Hartzell closed the public hearing at 5:40 p.m.

Commissioner Sanderson asked about the access to the site by public safety trucks and whether they can make the turns. Mr. Burden responded that yes they are able to make turns and staff acknowledged that the public safety departments are satisfied with the project.

Commissioner Hopp asked when the project will begin. Mr. Burden replied as soon as possible. They will begin applying for building permits in the spring of 2008 and construction will be complete in eighteen months from groundbreaking if approved.

Following discussion, Commissioner Ebbert moved, supported by Commissioner Miller, that the development meets criteria established in Chapter 13 and recommends approval of the PUD as presented incorporating waivers.

Voting "yes": Mr. Ebbert, Mr. Hopp, Mr. Michaels, Mr. Miller, Mr. Sanderson and Ms. Hartzell.
Voting "no": none. Absent: Mr. Heppler, Mrs. Rice, and Dr. Schmidt. Motion carried.

OTHER BUSINESS

Mr. Hodgson explained that an error was discovered with the 1993 Comprehensive Plan documents provided to the Planning Commission which were used as reference for the new Master Plan Future Land Use Map. He advised that several of the properties along Lakeshore Drive were shown as "commercial" on the 1993 Future Land Use Map and that staff had mistakenly believed and reported that these properties were shown as "residential". Mr. Hodgson asked the Planning Commission if this new information would have made a difference in the Planning Commission's recommendation. Commissioner Hopp said that although he was not present for that vote, he had made a statement endorsing the map, and he believed this corrected information would have changed his opinion on the matter. Commissioner Sanderson indicated that he did not believe he would have wished to change how these properties were shown on Future Land Use Map. Following discussion, the Planning Commission came to a consensus that it would like the opportunity to discuss the Master Plan again with this corrected information in hand and staff was directed to convey this message to the City Commission.

Mr. Hodgson notified the Planning Commission of two issues that will be coming to the Planning Commission for consideration. First, the City Commission had directed staff to prepare a zoning ordinance amendment regarding non-conforming businesses in residential districts. The City Commission had also directed staff to prepare an amendment reducing the maximum building heights in the Downtown and Commercial Office Districts from 80 ft. to 50 ft. Mr. Hodgson explained that the City Commission indicated that it felt that a more complex ordinance regarding height could be implemented in the future, but at this point it felt that 80 ft. was clearly too tall and it wanted to lower that height as an interim measure. Commissioner Hopp asked that the staff please provide the research it had in hand on building heights, even partial information for a more complex ordinance, so that the Planning Commission could review it. Commissioner Ebbert advised that he believed he would not take part in the discussions regarding downtown building heights due to a conflict of interest, as his employer is involved in a possible future development in the downtown area.

There being no further business, meeting adjourned at 6:13 p.m.

Respectfully submitted,



Peggy A. Block
Recording Secretary

CITY OF ST. JOSEPH, MI
PLANNING COMMISSION
MINUTES

COMMISSION CHAMBERS

DECEMBER 6, 2007
4:30 P.M.

MEMBERS PRESENT

S. EBBERT
P. HARTZELL
J. HEPPLER
D. HOPP
A. MILLER
B. MICHAELS
B. RICE
J. SCHMIDT

MEMBERS ABSENT

J. SANDERSON

STAFF PRESENT

J. Hodgson, Zoning Administrator.
M. Bowman, City Attorney
C. Derringer, C.B.O.
P. Block, City Clerk

The December 6, 2007 meeting of the St. Joseph City Planning Commission was called to order at 4:30 p.m. and the sitting members introduced by Chairperson Hartzell.

The Minutes of the November 1, 2007 Meeting as submitted were approved by voice vote.

PUBLIC HEARING – DRAFT MASTER PLAN

Chairperson Hartzell, at 4:32 p.m., opened the public hearing to reconsider adoption of the draft Master Plan in light of corrected information. Ms. Hartzell gave a brief review of the process so far and reported that the Planning Commission adopted the proposed Master Plan on October 4th. An error in the Future Land Use Map information that the Planning Commission received came to light prior to the City Commission exercising their option under the statute to give final approval of the Master Plan. Information represented to the Planning Commission with reference to some properties on Lakeshore Drive as far as future land use was represented as residential but in fact the prior 1993 Future Land Use Map showed them as commercial. The Planning Commission at their November 1st meeting requested of the City Commission that they would like to have the matter sent back to them in light of this corrected information to reopen the discussion and see if the information changed anyone's thoughts or positions.

Mr. Hopp stated that when the Planning Commission adopted the proposed version of this year's Comprehensive Plan and the issue of the future zoning of some specific parcels were considered and were operating on the assumption that the 1993 Comprehensive Plan Future Land Use Map showed them as residential, a number of Planning Commission members concluded that the Future Land Use Map presently working on, should not be changed that it should stay residential. He commented that when he learned that the prior map called for those properties to be commercial, he concluded and recommends that the Future Land Use Map in the new Comprehensive Plan not be changed with respect to these properties and continue to keep them listed as future land use as commercial. His reasoning to do it that way is that he is concerned about an argument that the current owners could make that by changing the future land use map from commercial to residential could take away some rights, benefits or expectations since the future land use zoning is suggested but not required and subsequently still individual determinations and a number of considerations that have to be taken into account when considering a proposed zoning change. The Future Land Use Map is used as one of those considerations and feels that they still have an appropriate amount of flexibility and discretion to avoid a claim that the new Comprehensive Plan changes in the Future Land Use Map is somehow subject to challenge. His

recommendation is that the Comprehensive Plan considered tonight along with the Future Land Use Map list the subject properties as commercial.

Bob Case, Abonmarche, addressed the current issues with the Lakeshore Drive parcels and the misinterpretation of the 1993 Future Land Use Map. He stated that even though the Future Land Use Map shows a change with the new Comprehensive Plan, they decided on the land uses, not just a random analysis. He reported that discussions on these parcels took place at public meetings, stakeholder meetings, citizen input and surveys and a consensus of a large portion of the public felt they would remain commercial uses but area remain residential. Mr. Case stated that even though it is a change from the 1993 Future Land Use Map, things change over time and believes that there is a rezoning request to change one of the commercial parcels back to residential and are already seeing some types of change in that area.

Mr. Hopp inquired of Mr. Case to clarify, that the idea of changing the Future Land Use Map zoning from commercial to residential was on account of citizen input that all that property along Lakeshore Drive should be zoned residential in the future, so that the future zoning designation for those parcels be residential.

Mr. Case responded that yes this was based on citizen input, surveys and that a lot of the commercial in the area is interspersed and not a functioning district of same like uses.

Mr. Heppler asked of Mr. Hopp that he is in favor of the Future Land Use Map showing commercial. Mr. Hopp stated that yes he was in favor of keeping the Future Land Use Map the same with regards to these commercially-used parcels as they were represented in 1993. He recommends that the new Future Land Use Map remains consistent with the 1993 Future Land Use Map, showing the use as commercial.

Chairperson Hartzell clarified that the current zoning is residential.

Mr. Hopp commented that there is no compelling reason to change that but some risk is created if we do change it. He feels they have enough discretion and standards to make determinations on zoning besides what is contained in the Future Land Use Map states.

Chairperson Hartzell clarified that Abonmarche's position is that they are recommending that it stays residential in spite of what the 1993 map states and are recommending the change based on citizen input, surveys and focus groups during their process. Mr. Case responded that is correct.

Attorney Kaufman, of Troff, Petzke & Ammeson, representing Tom Angelo, Mark & Cristina Westenburg, Marlana Hartline of Roxy's and on this particular item also Barclay and Lori Johnson. She advised that she sent a letter on August 13, 2007 that listed several points as to why they believe it is more appropriate to Master Plan these areas as commercial and inappropriate to Master Plan these areas as residential. She commented that one of the Commissioners aptly defined and quantified the relationship between the Master Plan and zoning, zoning follows the Master Plan. She stated that the 1993 Master Plan gave expectations of appropriateness to zoning to commercial. She advised that they have a rezoning request pending this afternoon which the Planning Commission will examine later which is based on the expectations from the 1993 Master Plan. Ms. Kaufman stated that one problem with a takings analysis, there is a 3-prong factor test and reviewed these points and stated that expectations which usually arrives from adopted policy documents of adopted Master Plan, the Master Plan translates into implementation by zoning. Also she commented that the stakeholders, while appreciating public participation and comment, she represents four property owners on the Lakeshore Drive area that were never involved in this process and only found out about it at the last minute and if they had known about it previously, they would have been here during the course of the development of the Master Plan, which

was thoroughly done, but they just found out about it recently and that is why they are here. They ask that the Planning Commission consider appropriately, especially with the new information regarding the 1993 Future Land Use Map showing these properties as commercial, Tara Florist, Coldwell Banker, Stadium Dental and Roxy's, making them commercial on the Future Land Use Map being adopted as part of the Master Plan.

Mr. Hopp asked Ms. Kaufman if, the 1993 Future Land Use Map, the new information, is part of the basis for their rezoning request. Ms. Kaufman responded in the affirmative. Mr. Hopp asked that when her clients purchased their property that it was not a reliance on a Comprehensive Plan Future Land Use Map from 1993. Ms. Kaufman did not know exactly when each owner bought their property but since 1993 this was an adopted policy document by the City and their expectations arising there from.

Ann Buckleitner, Attorney, representing Tara Florist, spoke briefly on the potential of a perception of the taking. She explained that in the course of her work in preparation of this hearing, she had the opportunity to work with Mr. Johnson and go through his archives and found a few documents that were not in the Planning Commission files and may have been lost over time. One document was the original site plan for Tara Florist dated 1966-67. Ms. Buckleitner reviewed one of the pages and explained the due diligence of the Johnson's before purchasing the property and their expectations to develop it which was intended for a lot of commercial. The property has been historically commercial property and has relied on that for investment. The property after development is a great asset to the streetscape.

Mr. Hopp asked that when Mr. Johnson came in the 80's to request a Special Use Permit, it was zoned residential and that there was an opportunity then to ask for a rezoning to commercial and asked why did they not ask for it to be rezoned. Ms. Buckleitner responded that the Johnson's did make a general inquiry and stated their intentions and asked what they could do and were directed and guided in the direction of the Special Use Permit which gave a broad latitude. She advised that it has not been an issue until the Master Plan Future Land Use Map designation came to light and could be taken away from them.

Mr. Barclay Johnson, Tara Florist Twelve Oaks, reviewed the site plan as it pertained to historical questions and the historical usage of the property. He submitted a handout titled "Urban Legend" at the beginning of the meeting, which Chairperson Hartzell clarified for the record, that she nor probably many of the Commissioners present, have not had an opportunity to read. Mr. Johnson reviewed their intentions for the property and what they were instructed to do through Mr. Harper, who was the Building Inspector at that time. Mr. Harper directed them very firmly that the only way they were going to make the development happen was to follow his lead and they asked for a Special Use Permit in 1986 for the front three lots since all lots were one parcel, Mr. Harper felt he could get a modification which was done in 1987 to build a new commercial enterprise building which included retail and potential office. Mr. Johnson advised that it was always their intention to be commercial on all five lots.

Mr. Hopp commented to Mr. Johnson that for 20 years they have operated the florist business under a Special Use Permit on real estate that is zoned residential and throughout that time they had the opportunity to make a request to have the property rezoned residential to commercial and did not take advantage of it. Mr. Johnson stated that they were always under the operational opinion that they were operating a commercial enterprise and amazed when they saw the Future Land Use Map change in the Master Plan and that got their attention.

Following restated earlier comments by Attorney Kaufman and Attorney Buckleitner, Ms. Kaufman also commented that the zoning affects the ability to get mortgages and affects the values of property and Ms. Buckleitner commented that it has been very educational and now all are operating on a lot more information.

Chairperson Hartzell commented that a commercial designation on the Future Land Use Map does not mandate a rezoning and Attorney Kaufman acknowledged this fact and stated that it does weigh in the analysis.

Chairperson Hartzell closed the public hearing at 5:02 p.m.

Mr. Hodgson asked that whatever action the Planning Commission may choose to take, he asked that they specify just which lots they are looking at, that some had more than one parcel. Mr. Hodgson reviewed as best he could the 1993 Future Land Use Map and what appeared to be right and what appeared to be wrong.

Chairperson Hartzell commented that the map was not as detailed as it should be and now it is a good time to tweak and fix.

Mr. Miller commented that he would like to generalize the entire Future Land Use Map and the actual zoning map and that he feels it is okay that an area be designated and used other than the zoning and can continue that way for a period of time.

Following discussion, Commissioner Hopp moved, supported by Commissioner Heppler, to recommend adoption by the City Commission the Comprehensive Master Plan previously submitted with one change that the Future Land Use Map would, as close as possible, reflect the future use as commercial, consistent with the 1993 Future Land Use Map, the following properties: all five lots of Tara Florist, the Coldwell Banker Real Estate office only, the Stadium Dental office only and Roxy's.

Voting "yes": Mr. Ebbert, Mr. Heppler, Mr. Hopp, Mr. Miller, Mrs. Rice, Dr. Schmidt and Ms. Hartzell.
Voting "no": Mr. Michaels. Absent: Mr. Sanderson. Motion carried.

PUBLIC HEARING – DRAFT NONCONFORMING USE ORDINANCE AMENDMENTS

Chairperson Hartzell opened the public hearing at 5:13 p.m. on the proposed Nonconforming Use Ordinance Amendments creating Limited Neighborhood Business Use Class and associated regulations. Ms. Hartzell stated that during the discussions on the properties on Lakeshore Drive that many people favor the continued existence of the businesses that are there or something akin to these present businesses but did have a problem with the expansion of commercial use there and now how to balance these issues and to acknowledge those properties and address them.

Mr. Hodgson briefly highlighted the heart of the amendments and pointed out that an advantage of the ordinance amendments would provide a protection to businesses existing in residential districts. Mr. Hodgson advised that the main concept in the ordinance is the idea of a Limited Neighborhood Business (LNB) a new Use Class, an overlay use class and is not based on just exactly what the use on the property is but also on the status of the property such as how it has been used in the past. It would make an existing nonconforming business that is not otherwise allowed to operate in a residential district become an LNB, a conditional or special land use and would no longer be treated as a nonconformity.

Mr. Heppler asked when a successor to a nonconforming use would come to the Planning Commission for approval. Mr. Hodgson reviewed the two circumstances when this would automatically happen. 1) If there is a change to a liquor license and 2) drive-through establishments. He advised that if a conditional use came in and the Zoning Administrator judged that it was more of a negative impact on the neighborhood than the previous business, then the appeal process would be to come before the Planning Commission.

Mr. Michaels asked if they could expand the Zoning Administrator's authority beyond those two conditions such as a convenience store, some thing that would be a high volume impact to the neighborhood. Mr. Hodgson acknowledged that it could be done with finding the right words to do it.

Mr. Ebbert asked Mr. Hodgson how, in our current ordinance, without this, a nonconforming business in a residential area can be replaced. Mr. Hodgson advised that a nonconforming business in a residential area, we right now do not have a provision to legally allow new businesses to operate in residential areas. They would have to find another buyer who would use it in the same way as it currently exists. They could not reapply.

Mr. Miller asked what other municipalities have done and how this ordinance affects the upcoming rezoning request from residential to commercial in light that an LNB might be a better solution to the request. Mr. Hodgson advised that he found no other municipalities that have done an overlay district and that the rezoning request would still be on the table. He advised that there are advantages to the property owners to be completely rezoned to commercial district as opposed to being a LNB.

Chairperson Hartzell closed the public hearing at 5:35 p.m.

Following discussion, Commissioner Heppler moved, supported by Commissioner Michaels, to recommend to the City Commission adoption of the Zoning Ordinance Amendments – Limited Neighborhood Business Ordinance as presented.

The draft ordinance is as follows:

**City of St. Joseph
Berrien County, Michigan**

An ordinance to amend the City of St. Joseph Zoning Ordinance

THE CITY OF ST. JOSEPH ORDAINS:

1. The Zoning Ordinance is amended by adding the following definitions to Article II, Section 2.3:

Add:

“Use, Predecessor: For the purpose of determining whether a proposed Use is a Limited Neighborhood Business, the Use that is currently on a Lot or was the most recent Use of the Lot.”

“Use, Successor: A Limited Neighborhood Business Use which replaced, or is proposed to replace, another Limited Neighborhood Business on a Lot under the terms of this Ordinance.”

“Use Category: See Use Class.”

“Use Class: A grouping of several Uses sharing similar characteristics, and treated similarly for the purpose of determining Authorized Uses for each Zoning District.”

“Use Class, Ordinary: For a Use that is a Limited Neighborhood Business, the Use Class to which a Use would belong if the Use were not a Limited Neighborhood Business.”

2. The Zoning Ordinance is amended by replacing the following definition in Article II, Section 2.3:

Amend:

“Nonconforming Use: An activity using land, Buildings and/or Structures for purposes which were lawfully established prior to the effective date of this Ordinance or subsequent amendment and that fails to meet the requirements of this Ordinance, or which was established as a Limited Neighborhood Business under the terms of this Ordinance and which would fail to meet the requirements of this Ordinance if not classified as a Limited Neighborhood Business.”

3. The Zoning Ordinance is amended by adding the following section F to Article IV, Section 4.6.1:

Add:

“F. The Limited Neighborhood Business class is a unique Use Class intended to recognize the circumstances peculiar to a number of Nonconforming Uses. A Use which, on a particular Lot at a particular time, meets the definition of a Limited Neighborhood Business shall be considered to belong to the Limited Neighborhood Business Use Class rather than to its Ordinary Use Class. For example, a coffee shop would ordinarily be considered a Food and Drink Service Establishment; if that coffee shop were located in a residential district or proposed to be located in a residential district and otherwise meets the definition of a Limited Neighborhood Business, it would instead be considered a Limited Neighborhood Business. If the Lot should be rezoned to a nonresidential District, the Use would no longer be considered a Limited Neighborhood Business but would be considered a Food and Drink Service Establishment and would be a Conforming Use or Nonconforming Use depending on the Authorized Uses of the new zoning District.”

4. The Zoning Ordinance is amended by adding a “Limited Neighborhood Business” Use Class to Article IV, Section 4.6.3, Table 4-1, as follows:

Amend:

USE CLASSES & DEFINITIONS	EXAMPLES OF USES PERMITTED	PERMITTED DISTRICTS
<p>Limited Neighborhood Businesses A commercial or industrial Use established on a Lot in a Residential zoning District, when the Ordinary Use Class of that Use is not an Authorized Use in that zoning District.</p> <p>Limited to: 1) Nonconforming Uses existing at the time of adoption of this Ordinance or subsequent amendment; 2) commercial or industrial Uses with previous zoning approvals such as Special Use Permits and Use Variances, when that Use is no longer an Authorized Use in that District; and 3) Successor Uses as allowed under this Use Class.</p>	<p>Any commercial or industrial Use which is not an Authorized Use in the Residential zoning District in which the Lot is located.</p>	<p>“C” in R1, R2, R3</p> <p>(“S” in R1, R2, R3 if requesting a liquor license change or a Drive-Through Establishment; see 11.12.9.B)</p>

Does not include any commercial or industrial Use that is currently an Authorized Use in the zoning District under the Ordinance.		
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5. The Zoning Ordinance is amended by replacing Article XI, Section 11.12.3 with the following:

“11.12.3. Reserved for Future Use”

6. The Zoning Ordinance is amended by inserting a new Section 11.12.9 as follows, and renumbering the existing sections 11.12.9 through 11.12.24 accordingly to become sections 11.12.10 through 11.12.25:

“11.12.9 Limited Neighborhood Businesses

A. Limited Neighborhood Businesses are permitted as a Conditional Use in the R1, R2, and R3 zoning Districts under the following conditions:

1. The Predecessor Use is, or if actively used would be, considered a Limited Neighborhood Business at the time of the Conditional Use application.
2. The proposed Successor Use shall be judged to have, on the whole, no greater deleterious impact upon adjacent residential properties than the Predecessor Use. This includes but is not limited to traffic, lighting, noise, odor, vibration, electrical interference, garbage or rubbish or other impacts.
3. The Successor Use must meet the condition described in the following table:

<i>If the Predecessor Use’s Ordinary Use Class is a Permitted Use in the following District:</i>	<i>The Successor Use’s Ordinary Use Class must be a Permitted Use in one of the following Districts:</i>
I1 alone or with any other District(s)	I1, C, CO
C alone or with any other District(s), except not with I1	C, CO
CO alone or with any other District(s), except not with I1 or C	CO
Not Permitted in any of the above Districts	C, CO

For example, if the Predecessor Use is an insurance office, which is in the Office Establishment Use Class and therefore a Permitted Use in the C and CO Districts, it may potentially be replaced by a barber shop, which is in the Personal Service Establishment Use Class and therefore a Permitted Use in the C District. The Predecessor Use may not be replaced by a cold storage facility, which is in the Wholesale Trade Establishment Use Class and therefore a Permitted Use only in the I1 and I2 Districts.

4. The proposed Successor Use must meet the parking requirements of the Ordinance, as modified by Section 18.2.4.

5. The proposed Successor Use may not include the sale of alcoholic liquor unless the Predecessor Use legally possessed an active liquor license issued by the Michigan Liquor Control Commission at the time of the Conditional Use Permit application, or if such a license had been legally possessed by the Predecessor Use but placed in escrow not more than six (6) months prior to the date of application. The proposed Use must use the same type of liquor license. For the purposes of this section, licenses defined by the state as “Special Licenses” which are typically issued on a temporary basis, shall not be considered an “active liquor license”. If the type of liquor license, as defined by the State, is proposed to change, the Zoning Administrator must decline to issue the Conditional Use permit; the applicant may request a Special Use Permit under this Article.
 6. The proposed Successor Use may not include a Drive-through Establishment.
- B. Limited Neighborhood Businesses are permitted as a Special Use in the R1, R2, and R3 zoning Districts under the following conditions:
1. The Predecessor Use is, or if actively used would be, considered a Limited Neighborhood Business at the time of the Conditional Use application.
 2. The proposed Successor Use shall be judged to have, on the whole, no greater deleterious impact upon adjacent residential properties than the Predecessor Use. This includes but is not limited to traffic, lighting, noise, odor, vibration, electrical interference, garbage or rubbish or other impacts.
 3. The Successor Use must meet the condition described in the following table:

<i>If the Predecessor Use's Ordinary Use Class is a Permitted Use in the following District:</i>	<i>The Successor Use's Ordinary Use Class must be a Permitted Use in one of the following Districts:</i>
I1 alone or with any other District(s)	I1, C, CO
C alone or with any other District(s), except not with I1	C, CO
CO alone or with any other District(s), except not with I1 or C	CO
Not Permitted in any of the above Districts	C, CO

For example, if the Predecessor Use is an insurance office, which is in the Office Establishment Use Class and therefore a Permitted Use in the C and CO Districts, it may potentially be replaced by a barber shop, which is in the Personal Service Establishment Use Class and therefore a Permitted Use in the C District. The Predecessor Use may not be replaced by a cold storage facility, which is in the Wholesale Trade Establishment Use Class and therefore a Permitted Use only in the I1 and I2 Districts.

4. The proposed Successor Use must meet the parking requirements of the Ordinance, as modified by Section 18.2.4.
5. The proposed Successor Use may not include the sale of alcoholic liquor unless the Predecessor Use legally possessed an active liquor license issued by the Michigan Liquor Control Commission at the time of the Conditional Use Permit application, or if such a license had been legally possessed by the predecessor business but placed in escrow not more than six (6) months prior to the date of application. For the purposes of this section, licenses defined by the state as “Special Licenses” which are typically issued on a daily basis, shall not be considered an “active liquor license”. The type of liquor license, as defined by the state, may change if such change is judged unlikely to create a deleterious impact on the surrounding neighborhood.
6. For a proposed Successor Use including a Drive-through Establishment, the standards set forth in 11.12.4.A through 11.12.4.I shall also be considered.-----

7. The Zoning Ordinance is amended by adding the following to Section 4.6.4, Table 4-2:

Land Uses Principal by Use Category	R1	R2	R3	CO	D	C	I1	I2	OS	W
COMMERCIAL & RELATED USES										
Limited Neighborhood Businesses	C/S	C/S	C/S							

8. The Zoning Ordinance is amended by adding the following 18.2.4 to Article XVIII:

“18.2.4. Limited Neighborhood Businesses; Businesses with Parking Nonconformities. For Limited Neighborhood Businesses, the following special procedures shall be used:

A. If the proposed Successor Use requires no greater number of parking and/or loading spaces than would be required for the Predecessor Use, as determined at the time of application, no additional parking need be provided regardless of the actual number of parking and/or loading spaces provided on the Lot.

B. If the proposed Successor Use requires a greater number of parking and/or loading spaces than would be required for the Predecessor Use, as determined at the time of application, only the additional number of parking and/or loading spaces need be provided regardless of the actual number of parking and/or loading spaces provided on the lot.

C. Any additional spaces provided must meet the requirements of this Ordinance, including the site development and buffering standards of Articles XVIII and XIX.

For example, if the Predecessor Use is an office with 1,200 square feet of usable floor area, which would require 6 parking spaces under the current Ordinance, for the purposes of zoning approvals considered for the Limited Neighborhood Business Use Class, the proposed Successor Use may consider the Lot to provide 6 parking spaces regardless of the number of parking spaces actually provided.”

9. The Zoning Ordinance is amended by replacing Article XXI, Sections 21.3.G and 21.3.H as follows:

“G. A Nonconforming Use shall not be changed to any Use other than a Use allowed in the zoning District in which it is located. For the purposes of this section, reducing the number of residential units on a Lot shall not be considered a change of Use. For example, a three-unit apartment is in the Multiple-family Dwellings Use Class and therefore is a Nonconformity in the R1 Single-family Residence zoning District. Eliminating one residential unit would change the structure to a duplex, which is in the Two-family Dwellings Use Class, which is also a Nonconformity in the R1 zoning District. This change would be allowed.”

“H. Nonconforming Structures shall not be re-established in their nonconforming conditions in any zoning District after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the appraised replacement cost of the Structure.”

10. The Zoning Ordinance is amended by replacing Article XXI, Sections 21.4.A and 21.4.B with the following:

“A. A Nonconforming residential Use, Building or Structure in the C Commercial or CO Commercial Office zoning Districts is exempt from the provisions of Sections 21.3.H and 21.3.I.”

“B. Any Nonconforming Building or Structure in the OS Open Space District is exempt from the provisions of 21.3.H, unless the Structure is prohibited under Areas of Special Flood Hazard, high risk erosion area, sand dune area, or other state or federal laws or regulations.”

11. The Zoning Ordinance is amended by adding the following section C to Article XXI, Section 21.4:

“C. A Limited Neighborhood Business shall be exempt from Section 21.3 with regard to the Nonconforming Use; it shall remain subject to Section 21.3 for the purpose of dimensional nonconformities.”

12. The Zoning Ordinance is amended by replacing Article XXI, Section 21.7 with the following:

“Section 21.7. Repairs and Maintenance

A. Nonconforming Uses. Repairs and maintenance may be performed on any Building or Structure devoted in whole or in part to a Nonconforming Use, including ordinary Repairs or Repair or replacements of walls, fixtures, wiring or plumbing to an extent not exceeding fifty (50) percent of the appraised value of the Building or Structure during any period of twelve (12) consecutive months. However, the dimensions or volume of the Building or Structure as it existed on the effective date of this Ordinance or subsequent amendment shall not be increased. Except that a Building or Structure used by a Limited Neighborhood Business may be repaired, replaced, or expanded without regard to cost so long as no dimensional Nonconformity is created or increased.”

B. Nonconforming Structures. Repairs and maintenance may be performed on any Nonconforming Building or Structure, including ordinary Repairs or Repair or replacements of walls, fixtures, wiring or plumbing to an extent not exceeding fifty (50) percent of the appraised value of the Building or Structure during any period of twelve (12) consecutive months. No dimensional Nonconformity shall be increased in any way. Portions of the Structure necessary to allow the reasonable use of the Structure, such as an exterior stairway or steps, may be removed and replaced in their previous location, or with such minor modifications as may be needed to meet current standards. This provision shall be used only to allow Repair and maintenance of an existing Nonconforming Building or Structure, and shall not be used as a mechanism to incrementally replace an existing Building or Structure with a new Building or Structure by spreading the construction over a greater period of time.

13. The Zoning Ordinance is amended by replacing Article XXI, Section 21.8 with the following:

“There may be a change of tenancy, ownership, or management of any Nonconformity provided there is no change in the nature of character of the Nonconformity, unless such change is allowed under this Ordinance.”

All other ordinances or parts of ordinances in conflict with this amendment are repealed.

This ordinance shall take effect 10 days after its final passage.

The Mayor and Clerk of the City of St. Joseph, Berrien County, certify that this ordinance was passed by the St. Joseph City Commission on _____, 2008, and that it was published in The Herald Palladium newspaper on _____, 2008.

ROBERT L. JUDD, Mayor

PEGGY A. BLOCK, Clerk

Voting “yes”: Mr. Ebbert, Mr. Heppler, Mr. Hopp, Mr. Michaels, Mr. Miller, Mrs. Rice, Dr. Schmidt and Ms. Hartzell. Voting “no”: none. Absent: Mr. Sanderson. Motion carried.

PUBLIC HEARING – REQUESTED REZONING, 2309-2409-2460-2500 LAKESHORE DRIVE & 306 KINGSLEY AVENUE

Chairperson Hartzell opened the public hearing at 5:37 p.m. on the requested rezonings. Property owners Thomas Angelo, Angelo & Bussey Real Estate Investment, Barclay and Lori Ann Johnson, and Lakeshore Professional Center LLC are requesting that these properties be rezoned from R1 Single-family Residential to C Commercial.

Mr. Hodgson advised that two additional citizen comments were received: 1) letter from Wesley Hemerling, 318 Kingsley and 2) Carol Nichols, 329 Kingsley.

Ms. Hartzell asked the applicants if they wished to withdraw their request for a rezone at this time due to prior action by the Planning Commission. Hearing none, Chairperson took comment.

Attorney Kaufman, representing Coldwell Banker and Stadium Dental, reiterated what she said with regards to the Master Plan issue, these properties are nonconforming uses and not knowing what will happen with regards to the text amendments just discussed, if they burned down they cannot be rebuilt. She advised that in 1973 Stadium Dental received a Special Use Permit (SUP) which is very limited, it allows four doctors and that’s it. In 1992 Coldwell Banker received a Use Variance that allows it for office use. These are the only land use regulations they have that protects them right now except for their R1 zoning. After getting the new information regarding the 1993 Master Plan, the property owners met and submitted a joint rezoning request for commercial as shown on the 1993 Future Land Use Map. She reviewed their responses to Section 22.3 Factors to Consider of their rezoning application. She stated that in the previous discussion regarding these properties, if they burned down, presently, they would have to build single-family homes on the property. Also the taking of the commercial building and converting it or demolishing it and making it a single-family residential is not a valid zoning applied to that

property. Based on the existing 1993 Future Land Use Map they ask that the rezonings be changed to Commercial and also based on the character of property and recognize how it has been used for years. Ms. Kaufman discussed briefly what the owners intended uses were for their properties and why they did not come forward earlier with a rezoning request and explained that Mr. Westenburg was unaware when he bought the property in the last year and a half and Mr. Angelo just became aware of what his use variance was and allows.

Chairperson Hartzell advised that she was not here when Stadium Dental got the original SUP but was when they came back for the additional property and that the original proposal was for additional staff parking and renting the home as residential. Mr. Westenburg advised that was the intent but they have not been renting the property because it has been under renovation.

Mr. Hopp commented that per our ordinance, a commercially zoned property there are a fair number of uses that are permitted such as indoor entertainment establishments, lodging, hotels and he reviewed the lengthy uses that the commercial zoning would permit and had concerns. The current uses of those properties no one has any objection because they have been that way for years and years but the neighbors have concerns about opening it up to a much broader array of uses. He feels that when he looks at the criteria, what conditions related to the application has changed since the zoning ordinance was adopted and is not aware of anything that has changed, the neighborhood is the same. He stated that the applicants say there are no precedential affects but there are similar situations and he continued to review the applicants' responses to the application questions and was not persuaded on several of the responses. Ms. Kaufman responded by quantifying her statement regarding precedential affect and then regards to the wide range of uses in a commercial district and where do the current fit and that is where they fit, that where they are outright permitted uses. They are trying to do what our Master Plan says is appropriate for these properties.

Mr. Ebbert, after reviewing the list of permitted commercial uses had concerns about a Sexually Oriented Business in that area near a school. Attorney Bowman responded that a Sexually Oriented Business would not be permitted due to its proximity to the school.

Mr. Hopp commented that these properties have been operating under this zoning for quite some time and is working fine and feels that the Limited Neighborhood Business is a better alternative.

Ann Buckleitner, representing Tara Florist, Barclay and Lori Johnson, explained that this has been an emotional issue for them, it is their life's work, the issue has been a lot of stress knowing that their business could be lost through time. She feels that everyone is now on the same page and that a commercial zoning designation would be great and stated that Attorney Kaufman's points equally apply to this property.

Mr. Johnson commented that a commercial zoning designation would give the City more latitude and control as compared to the Limited Neighborhood Business Use Class and restrict him more. He is concerned about the impact and wants to do it right and that a commercial zoning would make it nice and clean.

Mr. Miller stated that he had concerns about some of the commercial uses that are available, and the many changes that are occurring and progress in general and that he is comfortable with the special uses that are in place, how new uses will be reviewed and how the community is comfortable with those present uses.

Chairperson Hartzell closed the public hearing at 6:02 pm.

Following discussion, Commissioner Hopp moved, supported by Commissioner Michaels, to recommend to the City Commission that each of the zoning change requests be denied due to, of the seven conditions he does not believe that Condition A has been met, that it does set an inappropriate precedent, it will adversely affect the character value of nearby properties and that there are better alternatives that supports the recommendation.

Mr. Hopp commented that with respect to each of the current businesses, they have been valuable and contributing citizens and provide a value service and most people are very comfortable with these businesses and his greatest concern is opening it up to the wide-range of commercial uses.

Voting “yes”: Mr. Ebbert, Mr. Hopp, Mr. Heppler, Mr. Michaels, Mr. Miller, Mrs. Rice, Dr. Schmidt and Ms. Hartzell. Voting “no”: None. Absent: Mr. Sanderson. Motion carried.

Commissioner Hopp left at 6:08 p.m.

SIGN REQUEST – 1234 NAPIER AVENUE – LAKELAND HEALTH CARE

Mike Kastner, representative of Lakeland Health Care, explained that they are requesting permission to construct a ground sign approximately 50’-4” x 9’-6” at the corner of Napier Avenue and Langley Avenue. He advised that the sign will be in good taste and will compliment the new addition to the hospital and will hide some of parking. He displayed a rendition of what the size of the sign would be and advised that it will blend in well with its surroundings and will be bordered on both ends with columns and bricks and will include ground lighting.

Mr. Heppler commented that it was huge and appropriate with the new expansion.

Mr. Miller asked that since it is located in a residential neighborhood could the lighting be pointed in a way that it does not shine into residents’ homes. Mr. Kastner advised that they would not glare into resident’s homes.

Following discussion, Commissioner Miller moved, supported by Commissioner Heppler, to grant the sign request.

Voting “yes”: Mr. Ebbert, Mr. Heppler, Mr. Michaels, Mr. Miller, Mrs. Rice, Dr. Schmidt and Ms. Hartzell. Voting “no”: none. Absent: Mr. Hopp and Mr. Sanderson. Motion carried.

PUBLIC HEARING – PLANNED UNIT DEVELOPMENT APPROVAL – 143 ANCHORS WAY

Chairperson Hartzell at 6:15 p.m. opened the public hearing to consider a Planned Unit Development (PUD) request for 143 Anchors Way, Harbor Isle.

Cindy LaGrow, LaGrow Consulting, representing Harbor Isle Resort and introduced its development team, Daniel Crist, applicant, Harbor Isle Resort, Bob Gamos, Echtcetera Designs, Tim Drew, Abonmarche, Craig Johnson, arete’ 3 ltd, and Mike Bell, Attorney with Desenberg, Colip & Bell. Ms. LaGrow explained that they are requesting to create a new PUD for this property by incorporating and replacing two existing PUD’s, to allow construction of 212 residential condominiums. It will be a mixed use of residential and commercial. She advised that after meeting with the Planning Commission they started a planning process to determine how they were going to develop the rest of property. She complimented City staff on their guidance

through the ordinances and requirements as it relates to a Planned Unit Development and specifically looking at the Comprehensive Plan and identify future growth of the community, specifically item H of the standards – where it addresses access, where the current owners and people who enjoy the property will continue to have access of the river, lake, fishing. The development features have a heavy impact on aesthetics compared to what the property is like at the present time. She explained that the property does meet density and does not require a 20% bonus that is allowed in the ordinance and does not adversely impact the health, welfare or safety of the community. The development does increase the city's tax base.

Mr. Chris Johnson gave a power point presentation and reviewed the overall design of the rest of the development, Project B. He reviewed the entries to the site, the one-way traffic circulation of the site, parking requirements, marinas, access into the buildings, the waterfront neighborhood feel of the development, outdoor pool, review of interior and exterior of buildings, general concepts and composition of buildings, the amenities, clubhouse, green deck, patios, the commercial use – mini mart, moorings, elevations, views, etc.

Mr. Heppler commented that indeed it will be an asset to the City but his first impression of Project B was the high density, a lot of buildings and was confirmed by the presentation. He asked if they are condo units and will they be sold and the issues with the south property line. Attorney Bell responded to his questions. He advised that it will be developed pursuant to the Michigan Condominium Act. The units will be owned individually.

Attorney Bell acknowledged some conflict issues with ownership of the south property line and advised that once pointed out, adjustments were made to the setbacks and change in lot coverage.

The following citizens from Harbor Isle Moorings made commentss -- Jim Oskandy, Jimena Ziegart, Rita McSweeney, Jim Smith, Dean Carile, and Walt Bartkowiak from Danes Landing and were opposed to the project citing density issues related to current marina slips and not enough parking for everyone, unable to access current boat slips, insufficient setbacks from property line and current boat slips, lack of proper lighting and security issues, height of buildings out of character and hinders light and airflow, their vested rights to boat storage, possible rental issues or leasing of slips if they are not sold to condominium owners, increased traffic due to density, lack of sidewalk and lack of loading and unloading zones and handicapped parking not very accessible.

Commissioner Schmidt left at 7:10 p.m.

Attorney Bell responded to each of the issues explaining that they are not asking for any density bonus, they are developing the project within the ordinance, they are providing adequate parking per ordinance and explained how they will achieve this, access and parking will be available to current slip owners, setbacks have been adjusted, building heights meet ordinance, regarding light and airflow, he advised that a solar study was done and slips will be in sun until 3:45 pm from May 1 – Sept 1 and slips will not be in full shadows until 6 pm, their deeds/leases will restrict rentals, and ADA regulations are being observed.

Chairperson Hartzell closed the public hearing at 7:25 p.m.

Chairperson Hartzell commented regarding private contractual issues, restricted covenants and master deeds, that the City's role is a non-role, that these are private issues.

Commissioner Miller asked what their plan was if the slips don't sell. Mr. Bell responded that they are confident they can market and sell them.

Commissioner Michaels asked if a condo owner can buy more than one slip and rent them out. Mr. Bell responded that yes they can buy more than one and there will be no rentals and will restrict them from re-selling.

Commissioner Heppler asked if staff was satisfied with setbacks and if the encroachment on MDOT property was resolved. Mr. Hodgson advised that the PUD request meets set-back requirements and the developers acknowledged that they are aware of the MDOT issue and will address the encumbrance.

Chairperson Hartzell asked staff if all City departments have reviewed and signed off on all ordinance issues. Mr. Hodgson responded yes.

Mr. Hodgson explained that due to the closeness of the property, staff thinks that an additional condition should be that a sidewalk from the south exit of Building B should lead past the front of the building.

Following much discussion, Commissioner Heppler moved, supported by Commissioner Rice, to recommend to the City Commission approval of the Planned Unit Development for 143 Anchors Way, including waivers and conditions outlined in application and with an additional condition that construction of the sidewalk from the south exit of Building B should lead past the front of the building.

Voting "yes": Mr. Heppler, Mrs. Rice and Ms. Hartzell. Voting "no": Mr. Ebbert, Mr. Michaels and Mr. Miller. Absent: Mr. Hopp, Dr. Schmidt and Mr. Sanderson. Result - tie vote. Request will proceed to the City Commission without a recommendation.

PUBLIC HEARING – DOWNTOWN HEIGHTS ORDINANCE AMENDMENT

Chairperson Hartzell at 7:40 p.m. opened the public hearing on the Downtown Heights Ordinance Amendment.

Zoning Administrator John Hodgson explained that the ordinance is before the Planning Commission as a request from the City Commission. The requested reduction is from 80' to 50' in the D Downtown and CO-B Commercial Office.

Mr. Burt Pearson gave a power point presentation, stating that he has a vested interest in the community, is currently working on a new development project in the downtown district and asked that no reduction of the height of buildings in the downtown area be made. He commented that the height has been in effect since 1987, is not aware of any issues, the height reduction will negatively impact future developments in the downtown area, is not consistent with the new Comprehensive Plan which encourages development through vertical versus horizontal expansion and it specifically addresses preserving views west of Lake Blvd, not developments in the downtown area, sends mixed signals, negatively affects property values and tax revenue and asked how the height of 50' was determined.

Mr. Steve Byrns, Architect, New York City but grew up in St. Joseph, commented that the 80' height that exists now handled in a simplistic way could have a negative impact on the small town

feeling but there are ways of dealing with heights that approach 80' could satisfy both sides such as using a street wall and explained how this could be done and tailored in sensitive ways.

Chairperson Hartzell closed the public hearing at 7:55 p.m.

The draft ordinance is as follows:

**City of St. Joseph
Berrien County, Michigan**

An ordinance to amend the City of St. Joseph Zoning Ordinance

THE CITY OF ST. JOSEPH ORDAINS:

The Zoning Ordinance is amended as follows:

Article V, Section 5.2, Table 5-1 is amended to provide that the Maximum Building Height in both the D Downtown District and the CO-B Commercial Office District shall be fifty (50) feet.

All other ordinances or parts of ordinances in conflict with this amendment are repealed.

This ordinance shall take effect 10 days after its final passage.

The Mayor and Clerk of the City of St. Joseph, Berrien County, certify that this ordinance was passed by the St. Joseph City Commission on _____, 2008, and that it was published in The Herald Palladium newspaper on _____, 2008.

ROBERT L. JUDD, Mayor

PEGGY A. BLOCK, Clerk

Chairperson Hartzell commented on the arbitrary height number, that it is done in new ordinance writing and understands that you must start somewhere but the current 80' is in place and has worked well for the most part for 20 years and maybe it is time to revisit the issue and maybe the number needs to be adjusted but she does not want to render some of the buildings affected nonconforming. She does not feel that the issue should be rushed, it is something important and the analysis should be done now rather than later. She stated that it is good planning to get the facts, get the information, study it, discuss it, analyze it and make a reasonable and rational decision. Ms. Hartzell explained that she would like to do the process, the appropriate process and feels that this is a little fast, would like to have time to look into the information distributed and is opposed to the 50' height ordinance at this time.

Commissioner Heppler stated that he is not opposed to the change, has not had a lot of time to study the material and he is just not sure.

Commissioner Miller commented the St. Joseph downtown vista is rare and unique and he does not know how to go about finding other communities with similarities and how they deal with building height, is not sure the data is enough for changing the height right now being appropriate

and is hesitant to change. He feels the character of a building has more impact than the height and you could have an ugly 50' building just as well.

Mr. Michaels commented that he felt that part of the reasoning behind the possible change in the height ordinance was due to potential density in the downtown and concerns regarding parking in the downtown.

Mr. Hodgson responded that he thought the issue was pure height and concerns about small town feel and that the City Commission is concerned that large structures would have a detrimental affect on the town and concerned enough about it that they were interested in an interim measure, understanding that it would take a longer time to develop a more delicate ordinance.

Following discussion, Commissioner Miller moved, supported by Commissioner Rice, to table the issue until the January meeting to allow more time to study issue.

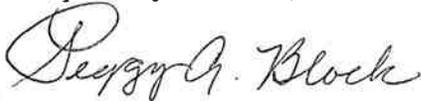
Voting "yes": Mr. Heppler, Mr. Michaels, Mr. Miller, Mrs. Rice and Ms. Hartzell. Voting "no": none. Abstained: Mr. Ebbert due to a conflict of interest since he is employed by Pearson Construction. Absent: Mr. Hopp, Dr. Schmidt and Mr. Sanderson. Motion carried. .

OTHER BUSINESS

Zoning Administrator Hodgson reminded the Commission that the January meeting will be held on the 2nd Thursday, January 10, 2008.

There being no further business, meeting adjourned at 8:08 p.m.

Respectfully submitted,



Peggy A. Block
Recording Secretary

MINUTES OF THE ST. JOSEPH CITY COMMISSION MEETING HELD IN THE COMMISSION CHAMBERS, CITY HALL, ST. JOSEPH, MICHIGAN ON JANUARY 7, 2008.

PRESENT: MAYOR JUDD
COMMISSIONERS CHICKERING, GAREY, GOFF AND RICHARDS
CITY MANAGER FRANK WALSH
CITY ATTORNEY MARK BOWMAN
CITY CLERK PEGGY BLOCK

Mayor Judd called the regular meeting to order at 6:00 p.m.

Mayor Judd introduced Anna Barta, a Lake Michigan Catholic High School student who was one of the four MML/National League of Cities essay contest winners. Ms. Barta returned recently from New Orleans and briefly shared highlights of her informative learning experience and thanked the City Commission for the great opportunity.

Mayor Judd recognized City Attorney Mark Bowman for his 25 years of service to the City of St. Joseph, 16 years as Assistant City Attorney and 9 years as City Attorney. Mayor Judd stated that it was an honor and privilege to work with Mark, that he has done an outstanding job and that it will be hard to replace him. Mayor Judd commented that everyone was pleased for him, acknowledged he will be missed and wished him well in his new position. Mr. Bowman commented that it was his honor and privilege to work for the City, it has a great staff and that it is due to the City Commission's strengths and the people of the City who put their hearts and work into making the City what it is. Mayor Judd presented Mark with two street signs

Mayor Judd presented the agenda for approval. Commissioner Goff moved, supported by Commissioner Richards, approval of the January 7, 2008 Agenda as presented. Roll call resulted as follows: Yeas: Commissioners Chickering, Garey, Goff, Mayor Judd and Commissioner Richards. Nays: None. Absent: None. Motion carried.

Consent Agenda: Minutes of December 17, 2007 Precinct and Regular Meetings
Disbursements paid since December 17, 2007: \$1,004,092.22
2008 Calendar of Public Meetings
Hot Dog Kart - Stationary Vendor's License

Following discussion, Commissioner Garey moved, supported by Commissioner Chickering, approval of the January 7, 2008 Consent Agenda as presented. Roll call resulted as follows: Yeas: Commissioners Garey and Goff, Mayor Judd and Commissioners Richards and Chickering. Nays: None. Absent: None. Motion carried.

City Attorney Mark Bowman explained that the Master Plan project has been ongoing for about two years. He advised that the Planning Commission technically adopts the Master Plan, but the City Commission asserted its right under state law to approve the adopted plan. The Planning Commission did adopt the plan on December 6, 2007 and that the plan is now before the City Commission for final consideration. Mr. Bowman briefly reviewed background on the project noting that the Planning Commission had previously adopted the plan, then asked to reconsider it once it was learned that some of the information relied upon for the plan had been inadvertently mischaracterized. The Planning Commission on December 6 changed the designation of four properties on the "Future Land Use Map" to correspond with the correct reading of the 1993 Future Land Use Map. Commissioner Goff thanked Chris Cook from Abonmarche noting that he and his firm did a fine job bringing all of the information together into a document that will help our community continue to move forward while preserving our small town charm. Commissioner Richards thanked everyone who participated in the development of this document. Following discussion, Commissioner Goff moved, supported by Commissioner Garey, approval of the 2008 Master Plan as presented. Roll call resulted as follows: Yeas: Commissioner Goff, Mayor Judd, Commissioners Richards, Chickering and Garey. Nays: None. Absent: None. Motion carried.

City Attorney Bowman presented for their first reading, Proposed Zoning Ordinance Amendments - Nonconforming Use. Mr. Bowman advised that one portion of the ordinance is intended to provide particular additional protections to existing businesses in residential districts, through the "Limited Neighborhood Business" designation; other changes in the ordinance are intended to protect nonconformities more generally. Mr. Bowman explained that these ordinances are a by-product of the Master Plan when this matter first came to the City's attention through the questions raised by several businesses in a residential district along Lakeshore Drive. Although some of these businesses are pursuing zoning changes that would make them conforming, other nonconforming businesses have not requested such changes and would be protected by this ordinance. The ordinances are as follows:

City of St. Joseph
Berrien County, Michigan

An ordinance to amend the City of St. Joseph Zoning Ordinance

THE CITY OF ST. JOSEPH ORDAINS:

1. The Zoning Ordinance is amended by adding the following definitions to Article II, Section 2.3:

Add:

“Use, Predecessor: For the purpose of determining whether a proposed Use is a Limited Neighborhood Business, the Use that is currently on a Lot or was the most recent Use of the Lot.”

“Use, Successor: A Limited Neighborhood Business Use which replaced, or is proposed to replace, another Limited Neighborhood Business on a Lot under the terms of this Ordinance.”

“Use Category: See Use Class.”

“Use Class: A grouping of several Uses sharing similar characteristics, and treated similarly for the purpose of determining Authorized Uses for each Zoning District.”

“Use Class, Ordinary: For a Use that is a Limited Neighborhood Business, the Use Class to which a Use would belong if the Use were not a Limited Neighborhood Business.”

2. The Zoning Ordinance is amended by replacing the following definition in Article II, Section 2.3:

Amend:

“Nonconforming Use: An activity using land, Buildings and/or Structures for purposes which were lawfully established prior to the effective date of this Ordinance or subsequent amendment and that fails to meet the requirements of this Ordinance, or which was established as a Limited Neighborhood Business under the terms of this Ordinance and which would fail to meet the requirements of this Ordinance if not classified as a Limited Neighborhood Business.”

3. The Zoning Ordinance is amended by adding the following section F to Article IV, Section 4.6.1:

Add:

“F. The Limited Neighborhood Business class is a unique Use Class intended to recognize the circumstances peculiar to a number of Nonconforming Uses. A Use which, on a particular Lot at a particular time, meets the definition of a Limited Neighborhood Business shall be considered to belong to the Limited Neighborhood Business Use Class rather than to its Ordinary Use Class. For example, a coffee shop would ordinarily be considered a Food and Drink Service Establishment; if that coffee shop were located in a residential district or proposed to be located in a residential district and otherwise meets the definition of a Limited Neighborhood Business, it would instead be considered a Limited Neighborhood Business. If the Lot should be rezoned to a nonresidential District, the Use would no longer be considered a Limited Neighborhood Business but would be considered a Food and Drink Service Establishment and would be a Conforming Use or Nonconforming Use depending on the Authorized Uses of the new zoning District.”

4. The Zoning Ordinance is amended by adding a “Limited Neighborhood Business” Use Class to Article IV, Section 4.6.3, Table 4-1, as follows:

Amend:

USE CLASSES & DEFINITIONS	EXAMPLES OF USES PERMITTED	PERMITTED DISTRICTS
Limited Neighborhood Businesses A commercial or industrial Use established on a Lot in a Residential zoning District, when the Ordinary Use Class of that Use is not an Authorized Use in that zoning District.	Any commercial or industrial Use which is not an Authorized Use in the Residential zoning District in which the Lot is located.	“C” in R1, R2, R3 (“S” in R1, R2, R3 if requesting a liquor license change or a Drive-Through Establishment; see 11.12.9.B)

<p>Limited to: 1) Nonconforming Uses existing at the time of adoption of this Ordinance or subsequent amendment; 2) commercial or industrial Uses with previous zoning approvals such as Special Use Permits and Use Variances, when that Use is no longer an Authorized Use in that District; and 3) Successor Uses as allowed under this Use Class.</p>		
<p>Does not include any commercial or industrial Use that is currently an Authorized Use in the zoning District under the Ordinance.</p>		

5. The Zoning Ordinance is amended by replacing Article XI, Section 11.12.3 with the following:

“11.12.3. Reserved for Future Use”

6. The Zoning Ordinance is amended by inserting a new Section 11.12.9 as follows, and renumbering the existing sections 11.12.9 through 11.12.24 accordingly to become sections 11.12.10 through 11.12.25:

“11.12.9 Limited Neighborhood Businesses

A. Limited Neighborhood Businesses are permitted as a Conditional Use in the R1, R2, and R3 zoning Districts under the following conditions:

1. The Predecessor Use is, or if actively used would be, considered a Limited Neighborhood Business at the time of the Conditional Use application.
2. The proposed Successor Use shall be judged to have, on the whole, no greater deleterious impact upon adjacent residential properties than the Predecessor Use. This includes but is not limited to traffic, lighting, noise, odor, vibration, electrical interference, garbage or rubbish or other impacts.
3. The Successor Use must meet the condition described in the following table:

<i>If the Predecessor Use's Ordinary Use Class is a Permitted Use in the following District:</i>	<i>The Successor Use's Ordinary Use Class must be a Permitted Use in one of the following Districts:</i>
I1 alone or with any other District(s)	I1, C, CO
C alone or with any other District(s), except not with I1	C, CO
CO alone or with any other District(s), except not with I1 or C	CO
Not Permitted in any of the above Districts	C, CO

For example, if the Predecessor Use is an insurance office, which is in the Office Establishment Use Class and therefore a Permitted Use in the C and CO Districts, it may potentially be replaced by a barber shop, which is in the Personal Service Establishment Use Class and therefore a Permitted Use in the C District. The Predecessor Use may not be replaced by a cold storage facility, which is in the Wholesale Trade Establishment Use Class and therefore a Permitted Use only in the I1 and I2 Districts.

4. The proposed Successor Use must meet the parking requirements of the Ordinance, as modified by Section 18.2.4.
5. The proposed Successor Use may not include the sale of alcoholic liquor unless the Predecessor Use legally possessed an active liquor license issued by the Michigan Liquor Control Commission at the time of the Conditional Use Permit application, or if such a license had been legally possessed by the Predecessor Use but placed in escrow not more than six (6) months prior to the date of application. The proposed Use must use the same type of liquor license. For the purposes of this section, licenses defined by the state as “Special Licenses” which are typically issued on a temporary basis, shall not be considered an “active liquor license”. If the type of liquor license, as defined by the State, is proposed to change, the Zoning Administrator must decline to issue the Conditional Use permit; the applicant may request a Special Use Permit under this Article.

6. The proposed Successor Use may not include a Drive-through Establishment.
- B. Limited Neighborhood Businesses are permitted as a Special Use in the R1, R2, and R3 zoning Districts under the following conditions:
 1. The Predecessor Use is, or if actively used would be, considered a Limited Neighborhood Business at the time of the Conditional Use application.
 2. The proposed Successor Use shall be judged to have, on the whole, no greater deleterious impact upon adjacent residential properties than the Predecessor Use. This includes but is not limited to traffic, lighting, noise, odor, vibration, electrical interference, garbage or rubbish or other impacts.
 3. The Successor Use must meet the condition described in the following table:

<i>If the Predecessor Use's Ordinary Use Class Is a Permitted Use in the following District:</i>	<i>The Successor Use's Ordinary Use Class must be a Permitted Use in one of the following Districts:</i>
I1 alone or with any other District(s)	I1, C, CO
C alone or with any other District(s), except not with I1	C, CO
CO alone or with any other District(s), except not with I1 or C	CO
Not Permitted in any of the above Districts	C, CO

For example, if the Predecessor Use is an insurance office, which is in the Office Establishment Use Class and therefore a Permitted Use in the C and CO Districts, it may potentially be replaced by a barber shop, which is in the Personal Service Establishment Use Class and therefore a Permitted Use in the C District. The Predecessor Use may not be replaced by a cold storage facility, which is in the Wholesale Trade Establishment Use Class and therefore a Permitted Use only in the I1 and I2 Districts.

4. The proposed Successor Use must meet the parking requirements of the Ordinance, as modified by Section 18.2.4.
5. The proposed Successor Use may not include the sale of alcoholic liquor unless the Predecessor Use legally possessed an active liquor license issued by the Michigan Liquor Control Commission at the time of the Conditional Use Permit application, or if such a license had been legally possessed by the predecessor business but placed in escrow not more than six (6) months prior to the date of application. For the purposes of this section, licenses defined by the state as "Special Licenses" which are typically issued on a daily basis, shall not be considered an "active liquor license". The type of liquor license, as defined by the state, may change if such change is judged unlikely to create a deleterious impact on the surrounding neighborhood.
6. For a proposed Successor Use including a Drive-through Establishment, the standards set forth in 11.12.4.A through 11.12.4.I shall also be considered.

7. The Zoning Ordinance is amended by adding the following to Section 4.6.4, Table 4-2:

Land Use	R1	R2	R3	CO	D	C	I1	I2	OS	W
COMMERCIAL & RELATED USES										
Limited Neighborhood Businesses	C/S	C/S	C/S							

8. The Zoning Ordinance is amended by adding the following 18.2.4 to Article XVIII:

“18.2.4. Limited Neighborhood Businesses; Businesses with Parking Nonconformities. For Limited Neighborhood Businesses, the following special procedures shall be used:

A. If the proposed Successor Use requires no greater number of parking and/or loading spaces than would be required for the Predecessor Use, as determined at the time of application, no additional parking need be provided regardless of the actual number of parking and/or loading spaces provided on the Lot.

B. If the proposed Successor Use requires a greater number of parking and/or loading spaces than would be required for the Predecessor Use, as determined at the time of application, only the additional number of parking and/or loading spaces need be provided regardless of the actual number of parking and/or loading spaces provided on the lot.

C. Any additional spaces provided must meet the requirements of this Ordinance, including the site development and buffering standards of Articles XVIII and XIX.

For example, if the Predecessor Use is an office with 1,200 square feet of usable floor area, which would require 6 parking spaces under the current Ordinance, for the purposes of zoning approvals considered for the Limited Neighborhood Business Use Class, the proposed Successor Use may consider the Lot to provide 6 parking spaces regardless of the number of parking spaces actually provided.”

9. The Zoning Ordinance is amended by replacing Article XXI, Sections 21.3.G and 21.3.H as follows:

“G. A Nonconforming Use shall not be changed to any Use other than a Use allowed in the zoning District in which it is located. For the purposes of this section, reducing the number of residential units on a Lot shall not be considered a change of Use. For example, a three-unit apartment is in the Multiple-family Dwellings Use Class and therefore is a Nonconformity in the R1 Single-family Residence zoning District. Eliminating one residential unit would change the structure to a duplex, which is in the Two-family Dwellings Use Class, which is also a Nonconformity in the R1 zoning District. This change would be allowed.”

“H. Nonconforming Structures shall not be re-established in their nonconforming conditions in any zoning District after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the appraised replacement cost of the Structure.”

10. The Zoning Ordinance is amended by replacing Article XXI, Sections 21.4.A and 21.4.B with the following:

“A. A Nonconforming residential Use, Building or Structure in the C Commercial or CO Commercial Office zoning Districts is exempt from the provisions of Sections 21.3.H and 21.3.I.”

“B. Any Nonconforming Building or Structure in the OS Open Space District is exempt from the provisions of 21.3.H, unless the Structure is prohibited under Areas of Special Flood Hazard, high risk erosion area, sand dune area, or other state or federal laws or regulations.”

11. The Zoning Ordinance is amended by adding the following section C to Article XXI, Section 21.4:

“C. A Limited Neighborhood Business shall be exempt from Section 21.3 with regard to the Nonconforming Use; it shall remain subject to Section 21.3 for the purpose of dimensional nonconformities.”

12. The Zoning Ordinance is amended by replacing Article XXI, Section 21.7 with the following:

“Section 21.7. Repairs and Maintenance

A. Nonconforming Uses. Repairs and maintenance may be performed on any Building or Structure devoted in whole or in part to a Nonconforming Use, including ordinary Repairs or Repair or replacements of walls, fixtures, wiring or plumbing to an extent not exceeding fifty (50) percent of the appraised value of the Building or Structure during any period of twelve (12) consecutive months. However, the dimensions or volume of the Building or Structure as it existed on the effective date of this Ordinance or subsequent amendment shall not be increased. Except that a Building or Structure used by a Limited Neighborhood Business may be repaired, replaced, or expanded without regard to cost so long as no dimensional Nonconformity is created or increased.”

B. Nonconforming Structures. Repairs and maintenance may be performed on any Nonconforming Building or Structure, including ordinary Repairs or Repair or replacements of walls, fixtures, wiring or plumbing to an extent not exceeding fifty (50) percent of the appraised value of the Building or Structure during any period of twelve (12) consecutive months. No dimensional Nonconformity shall be increased in any way. Portions of the Structure necessary to allow the reasonable use of the Structure, such as an exterior stairway or steps, may be removed and replaced in their previous location, or with such minor modifications as may be needed to meet current standards. This provision shall be used only to allow Repair and maintenance of an existing Nonconforming Building or Structure, and shall not be used as a mechanism to incrementally replace an existing Building or Structure with a new Building or Structure by spreading the construction over a greater period of time.

13. The Zoning Ordinance is amended by replacing Article XXI, Section 21.8 with the following:

“There may be a change of tenancy, ownership, or management of any Nonconformity provided there is no change in the nature of character of the Nonconformity, unless such change is allowed under this Ordinance.”

All other ordinances or parts of ordinances in conflict with this amendment are repealed.

This ordinance shall take effect 10 days after its final passage.

The Mayor and Clerk of the City of St. Joseph, Berrien County, certify that this ordinance was passed by the St. Joseph City Commission on _____, 2008, and that it was published in The Herald Palladium newspaper on _____, 2008.

ROBERT L. JUDD, Mayor

PEGGY A. BLOCK, Clerk

Following discussion, Commissioner Richards moved, supported by Commissioner Garey, to give the ordinance amendments their first reading. Roll call resulted as follows: Yeas: Mayor Judd, Commissioners Richards, Chickering, Garey and Goff. Nays: None. Absent: None. Motion carried.

Attorney Bowman reported that a Public Hearing was to be held on 143 Anchors Way (Harbor Isle) PUD at this time but that the developers have been working with surrounding association owners revisiting aspects of the development and asked that the matter be withdrawn at this time and they will resubmit their application to the Planning Commission. Attorney Bell, representing Harbor Isle, concurred with Mr. Bowman’s assessment and advised that they are working closely with City staff regarding specific changes they wish to make and will resubmit their application by the deadline for the February 7th Planning Commission Meeting. Mayor Judd commented that he appreciated the developers working with the neighbors to resolve issues. Due to the developers withdrawing their request at this time, no formal action was needed.

Attorney Bowman presented for it second and final reading, the Noise (Chapter 19) and Nuisance (Chapter 18) Ordinance Amendments. These ordinance amendments improve, define and better clarify the previous noise and nuisance ordinances. If approved, the ordinance amendments will take effect in ten days. Following discussion, Commissioner Chickering moved, supported by Commissioner Goff, to give the ordinance amendments their second and final reading and declared adopted. Roll call resulted as follows: Yeas: Commissioners Richards, Chickering, Garey, Goff and Mayor Judd. Nays: None. Absent: None. Motion carried.

Mr. Bob Braamse, representing the Blossomtime Festival, presented a request for permission to hold the 2008 Grand Floral Parade on Saturday, May 3, 2008 at 12:00 noon and to hold the run/walk for the Buds prior to the parade at 10:30 a.m. A new item this year is they would like the use of the John E.N. Howard Bandshell to hold a free concert by the Navy Band Great Lakes, Jazz Ensemble 16-piece big band. At this time they are not sure if the concert will be held prior to or after the parade. It was noted that they are not asking for any carnival request this year but reported that they are looking for some type of revenue replacement. Following discussion, Commissioner Garey moved, supported by Commissioner Richards, approval of the 2008 Blossomtime Festival requests as outlined and waive all fees. Roll call resulted as follows: Yeas: Commissioners Chickering, Garey, Goff, Mayor Judd and Commissioner Richards. Nays: None. Absent: None. Motion carried.

City Manager Walsh presented for discussion the 2008-09 Commission Assignments. He explained that these are the different Boards, Commissions and Committees the Commissioners serve on. It was determined that Commissioner Goff would continue on the Development Fund Board and Southwest Michigan Commission, Mayor Pro Tem Garey will serve on the Tax Abatement Committee and Brownfield Redevelopment Authority, Commissioner Goff would continue to serve on the DDA and possibly Mayor Judd due to a vacancy, Commissioners Chickering and Richards will serve on the Audit Committee and Mayor Judd will continue to serve on the Pension Board and Twin CATS Policy Committee and Mayor Judd and Commissioner Goff would share duties on the St. Joseph Today Board. Following discussion, Commissioner Garey moved, supported by Commissioner Goff, approval of the 2008-09 Boards and Commission Assignments as outlined. Roll call resulted as follows: Yeas: Commissioners Garey and Goff, Mayor Judd, Commissioners Richards and Chickering. Nays: None. Absent: None. Motion carried.

Mayor Judd at 6:40 p.m. removed himself from the next agenda item discussion. City Manager Walsh reviewed the City Attorney Selection Process for Wednesday, January 9th beginning at 6:00 p.m. Mr. Walsh advised that the Interview Committee will consist of four (4) City Commissioners and Planning Commission Chairperson Patsy Hartzell. All five (5) firms have acknowledged their interview times. Packets of the questions, applications, resumes, fees, etc. were reviewed for the Interview Committee members.

City Manager Walsh advised that he has compiled a work plan for each department head that covers their general assignments in 2008. The list is a compilation of their individual goals and the goals of the City Commission. They have been issued to staff for review and final copies will be given to the City Commission at the January 28th meeting.

City Manager Walsh provided a brief update on the Bluffside Development. He advised that the buildings are coming down. A new ingress and egress plan is being reviewed for the development. The entrance will be on the westerly side of the building off Broad Street. The fundraising efforts are going well and close to goal. Alternatives for the Lake Michigan feature are being discussed and meetings with the neighbors are being held to make the development less intrusive to residents in the area.

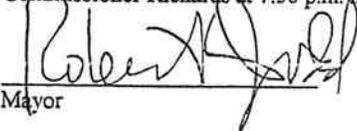
Sylvia Lieberg announced a local art exhibit the Krasl is hosting from January 18-February 8. The exhibit is free.

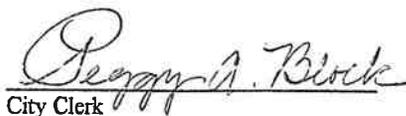
Commissioner Garey advised Public Services Director Perry that the entrance to the Bark Park is very muddy and needs wood chips or something. Mr. Perry advised that he will look into the matter. Commissioner Goff commented on the great article about the library and the great job Mary Kynast is doing.

Following announcements and comments, Commissioner Garey at 6:53 p.m. moved, supported by Commissioner Chickering, to go into closed session to approve minutes from the closed session of December 17th, 2007, receive update on pending litigation, negotiations and property purchase. Roll call resulted as follows: Yeas: Commissioner Goff, Mayor Judd, Commissioners Chickering, Garey and Richards. Nays: None. Absent: None. Motion carried.

Following the closed session, Commissioner Richards at 7:29 p.m. moved, supported by Commissioner Goff, to close the closed session and go back into open meeting. Roll call resulted as follows: Yeas: Mayor Judd, Commissioners Richards, Chickering, Garey and Goff. Nays: None. Absent: None. Motion carried.

Commissioner Richards at 7:30 p.m. moved to adjourn.


Mayor


City Clerk