

**Meeting of  
May 19, 2014**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, May 19, 2014 at 5:00 pm.

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**Call to Order**

Chair MacKenzie called the meeting to order at 5:00 p.m.

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**Roll Call**

Present: Jason Biskner, Chris Frasz, Jane MacKenzie, Lori Meeder and Tom Neidhamer  
Absent: George Ellwanger, Jim Kozlowski, Aaron Place and Joe St. Dennis

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**Excused Absence(s)**  
**\*\*MOTION**

**2014-5-19-02**  
**Meeder moved, Neidhamer seconded, PASSED UNANIMOUSLY**, a motion to excuse the absences of Ellwanger, Kozlowski, Place and St. Dennis

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**Meeting Attendance**

City Officials/Staff: Planning Director Scott McPherson and Recording Secretary Pat Haver  
Public Present: Six

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**Consent Agenda**

Tabled until next month.

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**Comments on  
Non-Agenda Items**

John McCahan wanted to applaud the board for their work at continuing to look at replacing our noise ordinance. He wanted to bring the information that he has obtained from K & S Engineers, Inc. who are consultants in acoustics, noise and vibration from downstate, back to them for review and to make copies if desired. He reviewed the previous agenda packet/minutes and found that in 2012 -2013 there was music noise complaints reported to the police department, which he indicated had not come from the Atrium Inn. He felt that the leading authority on community noise ordinances was Rutgers University, in which the Traverse City ordinance was modeled after. He encouraged the board to work diligently at getting an ordinance established, and hope they would consider his document in their preparations.

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**Reports of Officers, Boards  
and Standing Committees**

The Trail Town committee continues to meet; they have preliminary findings which are being reviewed for comment. Hopefully we can get a draft to look at shortly.

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**Unfinished Business**

None

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**New Business**

Planning Director Scott McPherson advised that every May the election of officers must be held. As there were no additional nominations from the floor:

**Election of Officers**  
**\*\*MOTION**

**2014-5-19-7A (1)**

**Motion by Meeder, seconded by Neidhamer, PASSED UNANIMOUSLY**, to elect Jane MacKenzie as Chair.

**2014-5-19-7A (2)**

**Motion by Meeder, seconded by Biskner, PASSED UNANIMOUSLY**, to elect Chris Frasz as Vice Chair.

Recommendation for  
Planning Commission  
re-appointments of Jason  
Biskner, Joe Kozlowski and  
Jane MacKenzie  
**\*\*MOTION**

2014-5-19-7B

With confirmation that all members are willing to remain **motion by Meeder, seconded by Frasz, PASSED UNANIMOUSLY**, to recommend the reappointment of Jason Biskner, Jim Kozlowski and Jane MacKenzie to the Planning Commission for an additional 3 year term expiring May 31, 2017.

**McDonald's Development  
Plan Amendment**

Planning Director McPherson reviewed the request that was included in the agenda packet. McDonald's is before the board today for an amendment to their development plan. In addition to the earlier approved amendment for the expanded drive through lanes, they were thinking about upgrading their building in 2016, and decided instead to complete the work earlier. They are proposing a 1,032 sq foot addition to the existing building which would allow them to enclose the freezer, storage area, and manager's office on the south side, and increase the seating area on the north side. With this request, the two "waiting" parking spaces in the front will be eliminated and outdoor seating will be situated there. With this request, the exterior of the building will be painted and upgraded to match the current branding of the franchise. A new façade, a third drive through window, entrance/exit doors, interior renovations, windows, and sidewalks are being proposed. The existing free standing signs will not be touched, possibly ask them to look at the entrance/exit sign flood lights, and encourage them to change to interior lighting. New signage will be installed, however, it is not included with this proposal, they will be seeking approval for signage at a later date.

**Dave Evans - WD Builders:** Schedule to have the drive through completed by August/September of 2014; and the building expansion completed by the following February 2015. Just over 1,000 sq ft expansion on three sides; update to multi use restrooms, expand to 20 seats in the dining room with a net impact of 85 people. Exterior rebranding to corporate standards. Signage company will submit signs and the internal illumination of the signs, at a later date. The new parapets will be 18 ft tall, which will help to shield the roof top units. The exterior windows will be clear with energy efficient films. As stated we will have outdoor seating out front, a couple of tables (1) will be handicapped accessible, along with garbage containers.

**McPherson** - The plans have been submitted to the DPW, Fire and Police Departments, and no one had any concerns as proposed.

**Biskner** - Will there be any additional lighting? **Evans** - We do not have any plans for anything additional, however, there will be a couple of sconces over each of the doors and drive through windows which will be LED, and the yellow canopies will have a string of LED lights that shine downward. The yellow architectural design element will have LED upwards lights, not internally lit. No additional security lights at the back.

**Neidhamer** - Scott, does everything fit?

**McPherson** - Building is a little over 3,000 square feet, have more than enough parking to meet requirements, no changes to entrance and exit drives, all set backs are fine, and are in compliance with all applicable standards.

After board discussion, **motion by Meeder, seconded by Neidhamer** to approve the development plan amendment as presented.

2014-5-19-7C

**Roll Call:**

Aye: Biskner, Frasz, MacKenzie, Meeder, and Neidhamer

Nay: None

Absent: Ellwanger, Kozlowski, Place and St. Dennis

**Motion Carries**

The board would like to encourage the entrance and exit signs to change from the exterior illuminated flood lights to interior illuminated lighting. Staff willing to work with the company for this change. **Evans** - I'm sure corporate would like to switch out if they can.

**417 Boyne Ave. LLC  
sketch plan review**

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The sketch plan review for 417 Boyne Ave. LLC has been tabled until next month. The board had just enough members for a meeting quorum prior to this item's discussion; however, Chair MacKenzie is directly involved with this project and would need to step down from the board, leaving a lack of quorum for discussion.

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**Pre-application for  
review of proposed  
kennel in the Air  
Industrial Park**

Planning Director McPherson reviewed the request that was included in the agenda packet for the possibility of a dog kennel in the Industrial Park. Looking at the ordinance, a dog kennel is not a listed use in this district, or listed use in the deed restrictions for the park. Both the Economic Development Corporation (EDC) and the Planning Commission have some discretion in this area, EDC can allow uses that are not specifically prohibited, of which this would not be, and the PC can look at uses, not listed and approve if they are not contrary to the uses of the district. The EDC and Local Development Finance Authority (LDFA) reviewed this request this last week were generally were supportive and encouraged her to move forward.

**Barbara Green** - It has a lot to do with all the things Boyne City has to offer, this is one thing that is not offered. This location seems like an ideal situation for this use, they will be playing outside during the day, and will be ready to go to sleep at night, so noise should not be an issue.

**Meeder** - Didn't we approve the Humane Society concept in the park?

**McPherson** - It was agreed to donate some land to them, so this is not a new concept. The All American Pet Resorts model is to re-develop unused buildings in Industrial parks. They have a number of facilities in SE Michigan. One of the facilities abuts a residential neighborhood and they have not had any complaints on noise, they do have condition on hours of 8 - 5 for the dogs outside, and a solid fence between.

**Meeder** - I believe this sits at the back of the park with the current neighbor being a vacant lot, and a ridge and ravine that is open space with a trail that will never be developed. I love the thought of re-developing an unused building, and there is a huge need.

**Green** - We are looking at employing 10 - 15 people, between day care, grooming, kenneling, training, we could employ more.

**McPherson** - In the ordinance, kennels are an allowed use in the commercial district, which are the Glen's complex and the Fall Park Rd. and Boyne Avenue area. When you look at that, which is the better spot?

**Biskner** - Will there be long term kenneling?

**Green** - Will we offer short term stays of a couple of days, board and train programs that the dogs will be with us for a 6 week period, and long term stays.

**Biskner** - How many animals for a full house?

**Green** - Will need to work out the layout, hope to start with 20 kennels, and hope to add an additional 20 at a later date, in addition to daily day care.

**Frasz** - What is your outdoor play area vision?

**Green** - Lighting haven't given it a lot of thought, except for a last trip outside, they won't be outside at night. Will be coming and going from 7:00 am to 7:00 pm. Looking at 6 foot fenced in areas that animals can come and go themselves. Then there will be 3 or 4 separate fenced in play areas for different size dogs. Would be putting in a privacy fence.

**McPherson** - There are setbacks that will need to be adhered to, and a 10 foot utility easement that must be observed. The EDC/LDFA board has encouraged them to move forward. The next steps will be to submit a formal application, conditional use consideration, site plan approval, EDC/LDFA blessings and a public hearing.

### Staff Report

- I have recently had an inquiry regarding Group Day Care. In the ordinance it specifies family day care home, group day care home, and facilities. A family daycare home is any under 6 kids, protected by state law, anyplace with residential use, must allow. Group day care is defined as between 6 and 12 kids. It is defined in our ordinance, but I can't find any spots specifically permitting them. Is this something we want to look at and categorize them? They are not that different from family day care homes, but they do have some additional requirements. Staff feels that it is worthy of discussion by the board.
- City facilities presentation/unveiling will be Tuesday, May 27<sup>th</sup> at 6:00 pm at the Senior Citizen Center.

### Good of the Order

None

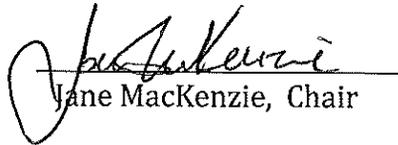
The next meeting of the Boyne City Planning Commission is scheduled for June 16, 2014 at 5:00 pm in the Auditorium.

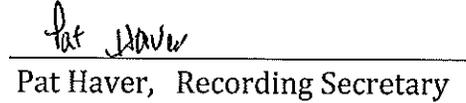
### Adjournment

#### **\*\*MOTION**

**2014-5-19-10**

**Neidhamer moved, Meeder seconded, PASSED UNANIMOUSLY** a motion to adjourn the May 19, 2014 meeting at 6:00 p.m.

  
Jane MacKenzie, Chair

  
Pat Haver, Recording Secretary