

Approved:

**Meeting of
June 21, 2021**

Record of the proceedings of the Boyne City Planning Commission meeting held in the City Commission Chambers on Monday June 21, 2021 at 5:00 pm.

Call to Order

Chairman Aaron Place called the meeting to order at 5:00 p.m.

Roll Call

Present: Jim Baumann, Larry Chute, Skylar MacNaughton, Tim Nemecek, Tom Neidhamer, Aaron Place, Jeff Ross and Monica Ross
Absent: Nichole Moblo

2021-06-21-02

Motion

J. Ross moved, Chute seconded, passed unanimously, to excuse the absence of Moblo

Meeting Attendance

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

**Consent Agenda
Motion**

2021-06-21-03

Neidhamer moved, Baumann seconded a motion to approve the consent agenda, the Planning Commission minutes from May 17, 2021 as presented.

Roll Call:
Ayes: Baumann, Chute, MacNaughton, Nemecek, Neidhamer and Place
Nays: None
Absent: Moblo
Abstain: J. Ross and M. Ross
Motion Carries

**Citizen comments on
Non-Agenda Items**

None

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

None

This item was requested to be moved up in the agenda.

New Business

**Public Hearing 315
State Street Bed &
Breakfast
Conditional Use
Request**

Planning Director McPherson reviewed his report included in the agenda packet. Garry and Ann Grimm submitted an application for a bed and breakfast to operate in the Traditional Residential District (TRD), which is allowed as a conditional use. The application states that they will have four bedrooms on the second floor for overnight guests. Four additional parking spaces will be provided. In 1989 a bed and breakfast was approved at 303 State Street which is 66 ft to the west of the proposed property site; and although it is currently a single family residence, the designation stays with the land and not the owner. Under Section 21.68(G) " The Planning Commission shall limit the number of Tourist Homes and Bed and Breakfast operations permitted in any neighborhood area so that no such operation shall be located within five hundred (500) feet of an existing Tourist Home or Bed and Breakfast operation. "

Garry and Ann Grimm – We will live in the residence and would like to run this as a business, however, would like also like to have room for family when they vacation/visit from outside the area.

Public Hearing opened at 5:07 pm

Sherry Hunt: 318 North St. – I have concerns about parking.
Lisa Thiel: 306 State St. – Will this be owner occupied with guests?
McPherson – Yes, this will be owner occupied.

With no further questions, the public hearing was closed at 5:09 pm

Board Discussion

McPherson – Per ordinance standards, they are required to provide (1) parking space per each room allocated for rental. They show with the existing driveway and additional paving, four additional parking spaces will be created, and the garage will qualify for the two spaces for the owner.

M. Ross – I have concerns about the mechanicals and electrical being up to code.

McPherson – That is outside of the prevue of this commission, Charlevoix County Building Department looks at all of that.

MacNaughton – Will the existing alley from State Street remain open?

McPherson – Yes. Because there is an existing bed & breakfast within the designated 500 feet of this residence, in order for this application to be recommended for approval, the current owners would be required to officially rescind their designation to open up the availability for this applicant.

Zareena Koch: 303 State Street owner - even though it is currently not being used as a bed & breakfast, if Covid taught us anything, we need to keep out options open, and our family would like to maintain the current bed & breakfast designation for our home.

Neidhamer – does it make a difference if it is currently inactive vs active?

McPherson – No; in order for the commission to consider any applications within 500 ft, the current owners would need to formally rescind their designation,

Place – We are unable to consider the application at this time.

Baumann – Are there any options for the applicant?

McPherson – The commission could consider re-writing the Zoning Ordinance, or the applicant could apply for a variance with the Zoning Board of Appeals but must show a specific hardship.

With no further board discussion, **motion by J. Ross, seconded by MacNaughton**, to deny the application of Garry and Ann Grimm for a bed & breakfast due to the current standards of the Zoning Ordinance.

Motion

2021-06-21-7A

Roll Call:

Ayes: Baumann, Chute, MacNaughton, Nemecek, Neidhamer, Place, J. Ross and M. Ross

Nays: None

Absent: Moblo

Motion Carries

**Alley Vacation
Request Barden
Lumber**

Planning Director McPherson reviewed his report included in the agenda packet. Back in 2014 a request was submitted for the vacation of a public way by Paul Barden. At that time, it was recommended for approval by the Planning Commission and subsequently approved by the City Commission. Due to a clerical error the documentation was not timely filed with Charlevoix County and the State, so to proceed it was determined to bring this item back before the Commission for consideration. Nothing has changed since the prior approval. The portion that is being requested to be vacated is the east 16.5 feet of the 82.5 foot right of way of East Street from the north right of way line of Main Street and south of the East West ¼ line of Section 35; total area of land is approximately 1,807 square feet or 0.04 acres.

Motion

After board discussion, **motion by J. Ross, seconded by M. Ross** to recommend to the City Commission approval to vacate the alley as presented.

2021-06-21-7B

Roll Call:

Ayes: Baumann, Chute, MacNaughton, Nemecek, Neidhamer, Place, J. Ross and M. Ross

Nays: None

Absent: Moblo

Motion Carries

Old Business

Future Land Use Map

Planning Director McPherson reviewed his staff report included in the agenda packet. Before the Commission tonight are the requested changes to review from previous meetings. The current Zoning Map and proposed Future Land Use Map were included as a part of the discussion. Currently there are some really nice homes within the General Commercial and Professional Office districts. A Mixed Use district would more accurately describe what we actually have. It is believed that the commission should look at other areas to identify closely if they should change designations. Currently State Street is an area that is being looked at as it is the gateway into town. Commissioners discussed the idea of extending past Rotary Park down to Call Street if the district changes to better reflect the businesses and homes that are there, they seem to co-exist quite well. It was discussed to combine Professional Office and Medical Office into the proposed Mixed Use District. Is it worth extending and/or changing the Central Business District into Mixed Use into the Main Street and Lake Street areas? If you change the designation of the Central Business District to Mixed Use you will significantly downgrade the flexibility in those areas, so maybe transition into the areas close to downtown.

McPherson – From the discussion tonight, I understand that you would like to eliminate Medical and Professional Office and combine into Mixed Use; extend the designation of State Street down past Rotary Park to Call Street; and extend the Central Business District past the core downtown to include the south side of Main Street. Several Commissioners indicated yes. I'll work on these changes, and will bring back as we will probably have more than one discussion on future changes or amendments.

Planned Unit Development Ordinance

Planning Director McPherson reviewed his staff report included in the agenda packet. Last month with commission discussion staff was asked to make suggested changes and bring back for review. Because this will make significant change; staff suggested that perhaps the City Commission review and give feedback prior to scheduling public hearings.

Steve Schnell: Housing North & Charlevoix County Housing Program Director -

Wanted to show support for the great work and progress that has been made with your discussions and the flexibility that has been built into the document. It will make it easier for attainable housing, and will create additional opportunities for housing options, which we all know are needed. By creating higher density areas, allowing housing options to be close to amenities, reducing the minimum foot print of the houses and being more flexible with designs, along with protections that have been placed to make sure things are compatible is a great start.

Chute – What part of the ordinance will this replace?

McPherson - Article XVIII (18) Open Space Community Option. This article has only been used twice, Maddy Lane and Harborage Heights, and staff does not consider them overly successful due to the procedures and extensive requirements that must be met. Perhaps replacing that with this Planned Unit Development is a good option.

Place – This option will give us a lot more flexibility for options.

McPherson – Yes and will give the community sufficient opportunities to comment, as there is a two public hearing requirement. With this overlay, It also gives the flexibility to manipulate dwelling sizes, have creative housing options, because you are not hindered by current standards.

M. Ross – It says unified control under single ownership, what about a proposed tri-plex?
McPherson – The proposed applicant is to be a single owner; after it is built it could be sold and have an individual owner for each unit in the tri-plex.

Place – I like how this is set up; and I like the idea of the City Commission giving their input prior to any public hearings.

McPherson – I will get with the City Manager, to get put on the City Commission agenda, and invite you to attend to discuss the proposed ordinance.

Staff Report

- Lofts on Lake Street has begun demolition with no clear time period when they will begin construction. They have indicated that they will clean up the site, unknown if that means just clean up debris or top dress with seed and remove the fencing. Depending on the time frame when they start construction, they may have to come back before the commission as there is a time limit of approval and when the zoning permit is issued.
- There is a lot of construction going on around town

Good of the Order

- Request to have a future agenda item to discuss possibly changing the start time of the Planning Commission meetings. Should the time remain at 5:00 pm, or possibly change to another time later in the evening?

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, July 19, 2021 at 5:00 p.m.

Adjournment Motion

2021-06-21-10

J. Ross moved, Neidhamer seconded, passed unanimously, a motion to adjourn the June 21, 2021 meeting at 6:11 pm

Chair Aaron Place

Recording Secretary Pat Haver