

**Meeting of
July 20, 2015**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, July 20, 2015 at 5:00 pm.

Call to Order

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

Roll Call

Present: George Ellwanger, Chris Frasz, Jim Kozlowski, Tom Neidhamer, Andy Place and Joe St. Dennis
Absent: Jason Biskner (arrived at 5:04) and Jane MacKenzie
Vacancy: One

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

2015-7-20-02
Place moved, St. Dennis seconded, PASSED UNANIMOUSLY, a motion to excuse the absence of Jason Biskner and Jane MacKenzie

Meeting Attendance

City Officials/Staff: Planning and Zoning Administrator Scott McPherson and Recording Secretary Pat Haver
Public Present: 5

Consent Agenda
****MOTION**

2015-7-20-03
Ellwanger moved, Neidhamer seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda; approval of the Planning Commission minutes from June 15, 2015 as presented.

**Citizen comments on
Non-Agenda Items**

None

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

Boyne on the Water is scheduled for tomorrow, July 21st from 4:00 pm to 8:00 pm in Sunset Park under the big tent. There will be structured presentations at 4:30, 5:30 and 6:30 pm to review the preliminary concepts from the previous meetings; with additional opportunities for continued input.

Unfinished Business

None

New Business

**Development Plan Review
112 S. Park Street**

Planning Director McPherson reviewed his staff report that was included in the agenda packet. After the packets were mailed out, additional information was provided by the applicant and was placed at the commissioner's seats, received and filed. The applicant is proposing to change the use of the building to a brew pub, which is a principle permitted use in the CBD, however additional parking demands for the proposed use is deficient by approximately 32 spaces. The lot space is approximately 60 ft. by 80 ft. with the building covering the majority of the area, so the ability to provide private parking is not an option; the building sits adjacent to 65 public parking spaces and within 300 feet from the structure is about 300 additional public parking spots that can be considered collective use for all of the businesses in the CBD. Under Section 24.20 the Planning Commission may approve a 20% reduction for collective use of parking spaces. The second item before the board is the encroachment onto public property for the placement of a handicap ramp and dumpster enclosure, with the understanding that detailed drawings showing the design, materials and colors must be submitted to the Mainstreet Design Committee and a lease agreement for any encroachments into public property must be approved by the City Commission. Commissioner Neidhamer wanted to advise the board that he personally knows the applicant, however, does

not have a business relationship with him, so the board felt there was not a conflict of interest in this case.

Kozlowski – Will any of the current businesses remain in the building or move?

Mike Castiglione – There is one on the second floor that might stay.

Mike Castiglione – applicant: Our intention is to open a brew pub with approximately 30 taps and a 5 barrel stainless steel brew system for craft brews; with a small restaurant. He reviewed the 9 page packet that was supplied to the commissioners' at their seats. Underground utilities were talked about, and will be investigated prior to putting down a cement slab for the dumpsters. They believe that an ADA ramp will need to be installed. The preferred location for the ramp would be off of the south side of the building, utilizing one of the existing entrances. McPherson asked if they had spoken with the Charlevoix County Building Department to see what their requirements were, they have not, and were encouraged to do so. He indicated at this point their preference for the location of the dumpster enclosure, is off of the SW corner of the building on the small grass area. Both of these locations are public property so will require permission/lease for encroachment from the City Commission. The property survey will be done within the next couple of weeks, so will know for sure at that time how much if any, encroachment will be needed. The business will have both a Class C license and a Microbrewers license. The focus will be on the brew pub and not sure if we will showcase the brew house on the main floor, or put with the majority of the brewing equipment in the basement. They are still thinking about the interior remodeling, and are not sure how large the restaurant seating will be.

St. Dennis – With all of the available public parking, there is no better location for this type of establishment than where it is being proposed.

McPherson – First step is to look at the parking and make a determination if you believe there is sufficient rationale to waive the additional requirement for the change in use. When counted there are 300 spaces of public parking available within 300 feet of the building.

****MOTION**

With no additional board discussion, **motion by Ellwanger, seconded by St. Dennis;** based on the criteria and available public parking in the proximity of the proposed business, waive the additional parking requirements.

Public comments opened at 5:32 pm

Lori Meeder –Main Street Program Director and tenant in the building. A lot of market studies and surveys have been done that show this is a great opportunity for the community, and there is plenty of parking available.

Jim Baumann – Chamber of Commerce: This is the perfect place for this business, and echo that there is plenty of parking available.

2015-7-20-7A

Roll Call:

Aye: Biskner, Ellwanger, Frasz, Neidhamer, and St. Dennis

Nay: Kozlowski and Place

Absent: MacKenzie

Vacancy: One

Motion Carries

The second phase of this is the encroachment on public property with the dumpster enclosure and possibly the ramp. You can not approve this aspect, but can make a recommendation to the City Commission, who will enter into a lease or agreement with them. There are other instances where something similar has occurred, the old Depot railroad train car with ramp and water tower are on public property, and they have a lease agreement with the city to allow that to happen. A survey must be done to specifically identify where the areas are, before a determination to the

extent of encroachment is. We know that there will be an encroachment, just do not know extent at this time. If the board feels uncomfortable making a recommendation prior to getting a survey, you can pass on that until the survey is done, and have them come back for a recommendation. The board felt comfortable with the location of the dumpster placement, however, would like to have the encroachment for the ramp minimized as much as possible. By recommending the encroachments, it will assist in enhancing a business opportunity, and the preferred ramp location is already an entrance into the building.

McPherson – Remember the final design must go to the Main Street Design Committee for materials and construction of the structure and City Commission once all of the information is gathered for final approval of granting a lease or agreement with the encroachments.

Open to public comment at 5:57 pm

Lori Meeder – I echo the comments from the board and am in favor of any necessary encroachments on this small strip of land, to aid this business getting started and off the ground.

After no further board discussion, **motion by Ellwanger, seconded by Neidhamer**, recommending the City Commission enter into a lease agreement for encroachment of the dumpster location on the southwest corner on public property as shown on page 2 and minimal encroachment, if necessary, for the ramp location on the south side of the building as shown on page 6; with final review to be determined by staff as discussed by this commission, move forward to the Main Street Design Committee for their review and approval for material and construction and City Commission for final approval of encroachments.

****MOTION**

2015-7-20-7A.1

Roll Call:

Aye: Biskner, Ellwanger, Frasz, Kozlowski, Neidhamer, and St. Dennis

Nay: Place

Absent: MacKenzie

Vacancy: One

Motion Carries

Staff Report

- City staff is continuing to review renderings for the city facility final layout, with drawings and materials available in city hall.
- Marvin Loding Awards are coming up again, and currently there are no nominations, so if anyone has any suggestions, get them to Scott.

Good of the Order

None

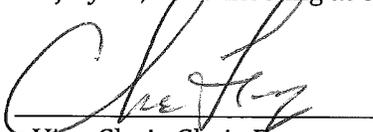
The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, August 17, 2015 at 5:00 pm in the Auditorium.

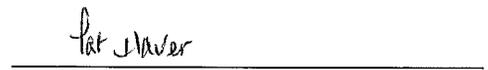
Adjournment

****MOTION**

2015-7-20-10

St. Dennis moved, Place seconded, PASSED UNANIMOUSLY a motion to adjourn the July 20, 2015 meeting at 6:11 p.m.


Vice Chair Chris Frasz


Pat Haver, Recording Secretary