

**Meeting of  
February 18, 2019**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday February 18, 2019 at 5:00 pm.

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**Call to Order**

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

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**Roll Call**

Present: Ken Allen, Jason Biskner, George Ellwanger, Tom Neidhamer, Aaron Place, Jeff Ross and Joe St. Dennis  
Absent: Jim Kozlowski  
Vacancy: One

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**Excused Absences  
\*\*Motion**

**2019-2-18-02**  
**St. Dennis moved, Allen seconded, PASSED UNANIMOUSLY**, a motion to excuse the absence of Kozlowski.

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**Meeting Attendance**

City Officials/Staff: Planning and Zoning Administrator Scott McPherson, City Manager Michael Cain, City Commissioner Hugh Conklin, Sally Page and Ron Grunch, Assistant Planning and Zoning Administrator Patrick Kilkenny, Assistant Police Chief Kevin Spate, Main Street Manager Kelsie King-Duff and Recording Secretary Pat Haver  
Public Present: Seventy eight

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**Consent Agenda  
\*\*Motion**

**2019-2-18-03**  
**Ross moved, Ellwanger seconded, PASSED UNANIMOUSLY**, a motion to approve the consent agenda, the Planning Commission minutes from January 21, 2019 as presented.

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**Citizen comments on  
Non-Agenda Items**

**Leslie Pritchard** – At the recent City Commission meeting held last week, I want to commend Commissioner Conklin for being willing to refer back to the Planning Commission the recent height ordinance amendments for another look, however was distressed that it went nowhere for a lack of a second. I was concerned that the communication from Todd Wright was not read into the minutes, and this item came to a vote with very little time for citizens to review and prep. The first floor height was amended, and the intention of the ½ story at the top did not refer to living space or penthouses; it was intended for parapets and concealing mechanicals.  
**Barb Borgeld: W. Main St.** - For items of this importance, meetings should be held at 7:00 pm and not during the day or at 5:00 pm when most people are not able to attend.

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

The Boyne Housing Solutions group recently met and had presentations from Ted Macksey, Scott Gillespie and Jane MacKenzie. This meeting was well attended; and the group has been tasked with coming up with solutions to find ways to help alleviate the housing shortage.

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**Unfinished Business**

None

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**New Business**

Planning Director McPherson reviewed his staff report that was included in the agenda packet, then turned over the presentation to Bob Grove, owner of the Dilworth.

**Preliminary review of  
proposed renovation  
at 300 Water St.**

**Bob Grove** – We are working on restoring the building back to how it was originally built. It was remodeled about 30 years ago, and we are tearing up and into those renovations to figure out the best plan of action. We will be downsizing the number of current rooms to 22; so will be high-end accommodations. The existing dining room has been restored to its original condition, and for the bar, we purchased one that is more fitting to the original building design. We are currently looking at removing and rebuilding the back area to be used for the kitchen extending it out approximately 10

feet. The basement will have a wine cellar, private dining area and the bar. Because of deterioration we will need to remove and replace all of the existing cast iron pipes. We would like to bury all of the incoming power lines, so have purchased the adjacent piece of property to accomplish that. We are not sure what we will be doing with that building, except redoing the garage. Not sure what the final intentions will be, but may use it for temporary staff housing.

Public comment opened at 5:16 pm

**Melissa Casper** – I understand there are some plumbing issues, will each of the rooms have their own bathroom? **Grove** – Yes

**Scott MacKenzie** – Thank you for the passionate meticulous work that you are doing to restore this building. Will the brick exterior be the same? **Grove** – we do not have enough original brick, so will be trying to match as closely as possible.

**Leslie Pritchard** – Yes, thank you as well, it was stated that this is a 4 story building; actually there are 3 floors and a basement right? **Grove** – Yes

**Barbara Malpass Young** – Thank you, I remember when my mother in law and grandmother worked there. Will you be using local suppliers and contractors? **Grove** – as much as possible.

**Penny Hardy** - Do you have a time frame for a grand opening? **Grove** – We have a lot of things to still fix and fix right, hopefully within 3 years.

Public comment closed at 5:20 pm

The board was pleased with the work done so far, and look forward to seeing it finished

**Development Plan  
Review proposed  
Mixed Use at 216 N.  
Lake St.**

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Planning Director McPherson reviewed his staff report that was included in the agenda packet, a 100' x 40' 3 story mixed use building is being proposed which will consist of a 2,340 sq. ft. dental office, and a 1,260 sq. ft. commercial space on the first floor and a total of 3 1,200 sq. ft. apartments on the second and third floor for a total of 6 dwelling units. Public entrances to the dental office and the commercial space will be on the west and south sides of the building, with the entrance to the residential units on the east side. The current plans are proposing 22 parking spaces behind the building with 11 to be carports with storage units. The parking demand for the proposed uses is calculated at 32 spaces with the dentist office requiring 16; the commercial use requiring 4; and a total of 12 for the 6 residential units. For this application to be approved, the planning commission would need to consider reducing or waiving the parking requirements. In making the determination the board can consider the zoning ordinance provisions of sections 24.20 F which allows for up to a 20% reduction for collective uses of the available parking spaces and/or 11.05 L which allows the commission to lessen the number of required spaces based on the availability of on street parking spaces, off-site parking lots, municipal parking lots, a finding that patrons will either walk to the site from nearby neighborhoods or will park at other sites and visit several uses at one time, or the placement and configuration of existing buildings.

**Cliff Harvey: Case Construction** – If you remember, we were here with preliminary plans for a one story dental office building. After discussion with this board and a request to possibly put in residential units above, this is the plan with we have come up with. The only difference is a little larger first floor foot print and the addition of the second and third residential floors. We have the same architectural design features, so will be using board and batten, wood shakes and stone as shown on their design board.

**Nate Vohwinkle: developer** – with the proposed plan, we are utilizing the best view of the area, and are proposing condo units with a lesser price point. We have removed the curb cut entrance from Lake Street, and have funneled all of the traffic into the parking lot from the North Street side. Because the building sits close to the sidewalk, the

commercial space door has been inset into the building to reduce any obstruction to the sidewalk and the 2<sup>nd</sup> floor residential unit balconies will be 12 feet from the ground, so will not be a problem with people walking down the sidewalk. The carports will be constructed along the eastern lot line back by the alley way and will have storage for the recreational needs of the residences. We are using high quality building materials for the building and the carport, and will not have any exposed HVAC or equipment units as the building will be 100% geo thermal.

Public comment opened at 5:35 pm with direction from the chair that the comments will be limited to 5 minutes, direct them to the board and everyone will be given an opportunity to speak if they so choose.

**Michelle Cortright: 221 Water St.** – Wondering about the condo units, how many will there be, will they be for rent or sale and will them be income based?

**Skylar McNaughton** – How tall will this building be? **McPherson** – 35 feet

**Steven Rote: 214 State St. & 302 State St.** – You can't keep giving away parking. How is that going to affect my properties on State St.?

**Bruce Janssen: 111 N. East St.** – Not sure when the additional stories came into play? The Main Street Design Committee looked at the proposal in December, and liked the overall design as it fits into the character of nearby structures.

**Penny Hardy: North St.** – I have major concerns for parking; I like the building design. Where are the parking space requirements for new developers that older businesses had to adhere to? Be careful in reducing the required parking spots.

**Bob Kroondyk:** Will there be signage designating private parking for the carports?

**Cindy Banner: Spring St.** –If you reduce the requirement on parking, it will have major implications. The recent parking study, you need to take a harder look when the study was done. There are growing businesses in the area that need to have ample parking for staff and visitors/patients. We have a huge issue during the 4<sup>th</sup> of July with people parking in our lot, even when we have it posted. The rehab center is already utilizing the parking spots on State Street. It would be a huge mistake to lessen parking.

**Jim White: Lakeshore Dr.** – For this area and business what is the setback? It should be 10 feet. **McPherson:** in the TRD there is a zero lot line setback. Planning Commission has the discretion up to zero for all businesses.

**Todd Wright: Ray St.** - The leeway that 24.20 gives the planning commission needs to be for different schedules; business and residential and complimentary uses. Do not lighten up the requirements.

**Don Forbes** – I agree that there is not enough parking, and this is not going to be affordable housing

**Barb Malpass Young: 1001 Hull St.** – My concern is also parking spaces. Will this increase the taxes for city residents, where is the benefit for retirees, as our taxes keep going up and up. There are a lot of vacant buildings downtown, use one of those, and there are low income housing units that are not filled; this will not be affordable for working city residents. We don't need this size of a building.

**Woody Hardy: North St.** – Can you purchase the property behind this site, eliminate the house and use it for the required parking?

**Chris Christensen: 125 Stewart St.** – For all of these proposed upcoming developments, how can you put angle parking in on Lake St. without giving up park space or move the road? Is there any design to manipulate the street or go into the park for the parking on any of these developments?

**Scott MacKenzie: 847 W. Division St.** – Our community has issues to figure out. We want to welcome developers. The 2006 Waterfront Master Plan indicated that we wanted a mix of residences and business opportunities along Lake Street. Everyone was invited to attend and participate, and several people did. It indicated ways we can grow

and this was one of them, as it stresses areas to live work and play; we need to address all of the voiced concerns and welcome developers.

**Leslie Pritchard** – You have a responsibility to the community and not to developers. I'm concerned with parking safety, yes the Master Plan gave us a vision and we need to look at what those considerations are for growth.

**Christa Rau: E. Main St.** – You want us to live work and play in our area, but any available housing is only occupied a couple of months and is not affordable for the working class. You want to bring in business, but the locals need to drive to Petoskey as we can't afford to work here.

**Barb Malpass Young** – 80% of the employees in town are paid between 10.00 and 15.00 per hour, they can't afford to live here as the wages don't match the cost of living, and kids don't want to go to our school. With the lack of parking, you have to think about people having to park so far away and falling. Think about our small town appeal.

**Bob Kroondyk** – I want to thank the developers and construction crews for such a beautiful building being proposed.

**Penny Hardy: North St.** – the 2 proposed projects are not addressing affordable housing. Still not going to provide workforce housing. I think the huge 4 story building is out of character for Boyne City, except for maybe downtown. Stop making exceptions and reducing parking for developers.

**Barb Borgeld: Main St.** – we are not against growth, I feel that we are not getting all of the information, let's have what works for everybody.

Public hearing was closed at 6:12 pm, with answers to the audiences questions

Condo pricing will be at market rate, unknown what the price point will be at this time. The parking study was done in the summer/fall of 2018 and compiled by Rich & Associates who did the counts, held meetings, met with businesses and put together the final analysis on the gathered data. The carport will have 6 spaces for residential owners, 2 for the doctor, 1 common space; the developer and contractor looked and spoke with neighbors about purchasing property for additional parking and the offers were shot down. The proposed building will be utilizing the same foot print as the restaurant, however will be approximately 3 foot closer to the road. The curb cut on Lake Street will be removed in order to increase the walkability in the area without having to worry about cars coming out on Lake Street. Dr. Larsen's business is growing, hence the reason for the building, local trades will be utilized during construction. To eliminate any of the above floors the project must be financially viable for the owner, contractor and developer. With the stairwell, elevator and ADA requirements all of the dimensions, floors and height must remain. We understand your concerns and if need be, we can go back to the original design proposals.

#### Board discussion

Chair Place facilitated discussion on the TCD Development Requirements, Section 11.04 The board indicated that the building placement maximized the parking and still provided sidewalks, street right of ways, and a nice looking project. Concerns were voiced over the vehicle flow in and out of the parking lot, how would emergency vehicles and trash removal vehicles get turned around, where would the dumpster placement be along with snow stored after being plowed? Concerns were raised about the time when the threshold were reached for shared parking. Although the recent parking study indicated that there was plenty of parking available in the city, it went block by block and indicated what parking, both private and public, were available. This current project would rely on available parking across the street in the municipal lot if the 20% reduction under section 24.20 or 11.04 were granted/waived. A couple of the commissioners did not want to see a sea of blacktop or empty asphalt. They did hear

the concerns raised from the citizens in the meeting about the lack of parking and have some concerns over that also, however, are currently looking at public parking spots that are available to use for this project, and not utilizing any private spots in the area.

**\*\*Motion**

After board discussion and while going through findings of fact 11.04; **motion by Neidhamer** to grant a 20% reduction in parking. This motion failed due to a lack of a second.

**\*\*Motion**

The board discussed various ways to alleviate parking by utilizing parking available on N. Lake Street and the municipal lot directly across the street from the project. The commission has used the 20% reduction as a tool very successfully in the past for other projects, and data has supported those decisions. At this point, **motion by Neidhamer seconded by Allen**, to allow the 20% reduction in parking based on compatible uses within this project.

**2019-2-18-7B**

**Roll Call:**

Ayes: Allen and Neidhamer

Nays: Biskner, Ellwanger, Place, Ross and St. Dennis

Absent: Kozlowski

Vacancy: One

*Motion Fails*

**\*\*Motion**

**Motion by Neidhamer** to waive 10 parking spaces from the required 32 spaces because of available public parking within 150 feet and the multi-use functions within the project. This motion failed due to a lack of a second

The board went no further through the findings of fact as the project does not meet the ordinance criteria.

**\*\*Motion**

Nate Vohwinkle and Cliff Harvey have requested a postponement so they can have time for plan reconsideration and a further presentation to this commission. **Motion by Ross seconded by Biskner, PASSED UNANIMOUSLY**, to accept the applicant's proposal to postpone.

**Preliminary Review  
Proposed Mixed Use  
100 N. Lake St.**

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Chair Place advised the audience that this is just a preliminary review and nothing will be voted on at this time; the applicant, developer and architect are looking for input from the community. Planning Director McPherson reviewed his staff report that was included in the agenda packet.

**Marilyn Crowley: Michigan Community Capital** – we are a 501© 3 nonprofit organization that will be the owners of the project if it goes forward, our focus is investing in communities that have an underserved market, a need for and a variety of housing. Our focus is on workforce, middle income families for long term rentals. For a single individual in the wage range of 35,000 to 53,000 and a family of 2 from 40,000 to 60,000. 60% of the units will be for these clients and the remainder will not be regulated and will be uncapped, so the price of these units will be at market standards. None of these units will be low income housing. We specialize in mixed use developments, walkable communities. The soils are contaminated and it would be a difficult area to develop. We are here to gather concrete design ideas from the community. We are not locked into the design we have here, it was much easier with the computer to put in a square flat roof building.

**Mike Corgin: Integrated Architecture** – We have heard your concerns about parking, and know that we have to work on that, as these plans currently show 57 parking spots, with a dumpster area and snow removal staging areas, which all will be behind the

building. We will have a total of 48 units that consist of studio, 1 bedroom and 2 bedroom units. The building will be a mix of brick, stone, wood at the storefronts, possible area for outdoor dining, step back facades, cornices, and street scape on Lake Street.

Public comment opened at 7:45 pm

**Barb Malpass Young: 1001 Hull St.** – Will this development raise our taxes? I appreciate the traffic flow and parking. Height of the building concerns me, what is affordable rent, and have you looked at other areas to develop?

**Steve Groot: 214 State St.** – What is the overall number of units available? Will this building be tax exempt and what is the required number of parking spaces?

**Skylar McNaughton: W. Morgan St.** – Sheer size and width of the building is a big deal on the water.

**Rose Newson: 214 State St.** – Will the public be allowed to see the detailed description remediation plans for the contamination; how does the nonprofit have ownership, will you be transparent with the community? Is there any way that you can increase the number of capped units to increase affordable housing? What will be the turnaround time for someone who applies for one of the units?

**Cindy Banner: 507 Spring St.** – What will be the retail space sizes, what will be the number of units, the overall height of the building, what is the required number of parking spaces, will there be a natural area for families, are you looking at both the nearby public and private parking spaces to use for the development?

**Penny Hardy: 437 North St.** – All new developments must provide parking spots truly required to adequately serve the development. We need to be good neighbors, you as a Planning Commission need to use common sense and serve the whole community not just incoming developers.

**Bruce Janssen: 111 N. East St.** – with Martha Sulfridge who is a part of the Main Street Design Committee; who have not had an opportunity to review the designs prior to today, the following comments are our points of view and not the entire design committee board. No issue with intended use, comments only about design after our January meeting and asking for additional reference points. We stressed at the meetings that the building was too long and massive, roof is too flat, wrong colored brick, façade too flat looking, break it up. Doesn't fit the look or character of our downtown. Look at section bump outs, more variety to front of building, change in height in roof, window changes. It is too industrial in design, look at new façade and floor plans please.

**Barb Borgeld: W. Main St.** - I agree with what has previously been said. Façade looks too industrial needs to be softened, the building is too tall.

**Jim Hawkins: N. Lake St.** – Do not turn Veterans Park into overflow parking or a playground.

**Scott MacKenzie: 847 W. Division St.** – Thank you for coming to Boyne to help us address these issues. I think we can work out designs, the development design team is beginning to understand our wants. I personally do not have a problem with the 45 ft. height; you can't see the lake from the back side of a one story building. To make it economically feasible, there may have to be some compromise. Our parking issues are no more than other communities. We are stuck in what we feel is needed for parking; people want to park and walk right into the place they want to go, but do not hesitate to walk 4 acres at larger stores in other communities. We are driving out developments because we have hang ups about parking.

**Melissa Casper: 503 Spring St.** - I do not agree with the parking study results, people who visit from downstate do not follow our rules and I believe there are locals that do not, they are going to park where they want. I do not expect to park right in front, but I do expect to park within a reasonable distance. We can't keep cutting corners and getting rid of parking spaces. I do not like the design, I like the design of Café Sante,

which is more welcoming and not quite as massive, it is one building with different roof heights, but doesn't look like it.

**Martha Sulfridge** – Can you set the building back a bit, and put angle parking in front?

**Jane MacKenzie: 847 W. Division St.** – Maybe our parking ordinance requirements are too high for studio and 1 bedroom apartments, instead of 1.5 spaces for each of these, maybe it should only be 1.

**Ted Macksey: 44 N. Lake St.** – If the developer meets all of the development requirements under the ordinance, they are permitted to go 4 stories; if they stay within the height requirements? **Place - Yes**

**Todd Wright: Ray St.** - Thanks for being here, this is productive and giving us the opportunity for vetting our ideas. Someone brought up a program at one time the City had a Parking Fund – developers paid in a certain amount if you were short on spaces; the City could then use for parking upkeep. As a board, maybe you should be looking into this fund again.

**Penny Hardy** – If we are attempting to increase housing, why is the first floor not residential? **Corgin: Integrated Architecture** – Your zoning doesn't allow residential on grade.

**Leslie Pritchard** - This project is too big and doesn't fit in Boyne City. How does MCC who is 501©3 nonprofit working with a developer own the building and who approached you to bring housing into Boyne City? Medium income of \$35,000 to \$50,000 not in Boyne's workforce. If you purchase property will you get tax abatement and Brownfield for developers?

**Jim White: Lake Shore Dr.** – If MCC is a 501©3, who purchased the property?

Public hearing was closed at 8:21 pm, with answers to the audiences questions

There will be a total of 48 units, the studio size is 400 sq. ft; 1 bedroom will be 500 sq ft. and the 2 bedroom will be 750 sq. ft, with rents ranging from \$800 per month up to 1,500 per month depending on if it is an income restricted unit or not and location within the building. We are not an affordable housing developer, so not providing affordable housing, but middle income housing. Professional management company will be used for residence to apply, they ask for income validation and will do a background check, turn around timing is very quick. MCC is a 501©3 as an organization who will create an LLC who will own the property, and will be paying property taxes. We don't have to do it that way, but choose to in order for the community to get property tax payments. MCC owns 100% of the created LLC. Really appreciative to design feedback. Biggest concern is parking; we will have to continue to look to acquire other parcels, not sure if that will be economically feasible. We have to provide 90 parking spaces. The developer, construction crews and manager, architect and I all get paid, a nonprofit does not get any benefits as it will not make any money after the project is established, we build the project and then the building will be self-sustaining. We have projects in Cadillac, Grayling, Detroit, Ypsilanti, Grand Rapids and looking at projects in Mt. Pleasant and Flint. The mix use co-efficient in parking does work in a lot of communities, yours included. Local taxes for residents won't go up, the project will add to the tax base. As far as site contaminants Phase I environmental study is going on now; if there is a hint of contaminations Phase II is setting a "Do Care Plan" maybe taking contaminated soils off site, vapor barrier, or capping; we currently have site control, which is a purchase agreement, we currently do not own it. If the soils are really dirty, we will approach DEQ for grant assistance for remediation to help offset the costs. The soils are soft, so fountains/pilings/piers may need to go down 60 feet. The number of capped unit were determined to assist in making the project economically feasible, we need to find more parking, reduce the building footprint, so may have to shift some of the capped units to be less attainable to make the numbers work. For natural areas the

community desires to be walkable, there is a play area across the street. There is a desire for Urban Lifestyles.

**Neidhamer** – Young and old want to live downtown, and enjoy the urban lifestyle with retail, hospitality, industry, banking and restaurants within walking distances.

**Place** – As far as my opinion on design make façade different to make it look like multiple units, brick, coloring, have bump outs, inset doors, roof height changes, corbels on the building, break up the type and size of windows with different shapes and sizes maybe window ledges. The mechanics are hidden on the east side of the building screening from view above the highest floor. Balconies cantilever out.

**Crowley** – We are really going to be starting over, we need to maintain the shape of the building, but look at how we can break it up, add more detail and bring in charm. Parking is the limiting factor in your zoning ordinance. We understand we need to find the parking, and if this project does not happen, it will be because of the parking requirements. Maybe the city can help with this, but we know we need to find 90 parking spaces with the 20% reduction if applied, if not, we need to find 112 parking spots.

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**2019 – 2024 CIP Plan**

Included in the agenda packet was the Capital Improvement Plan (CIP) for your review and comment. As time was running late, staff asked the commissioners to please review the plan and bring back any comments you may have at the next meeting for discussion.

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**Staff Report**

We just received word that we have been recertified as a Redevelopment Ready Community.

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**Good of the Order**

The commission discussed the need to look at parking requirements and restrictions with in the ordinance. Is it best for the commission to come up with a parking committee to look into the matter? Staff indicated that they will take a look first through the ordinance for parking requirements and restrictions and bring back to the board to review any possible changes.

James Kozlowski will be absent from the March meeting

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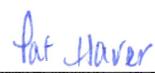
The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, March 18, 2019 at 5:00 p.m.

**Adjournment**  
**\*\*Motion**

**2019-2-18-10**

**Ross moved, Biskner seconded, PASSED UNANIMOUSLY** a motion to adjourn the February 18, 2019 meeting at 9:20 p.m.

  
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Chair Aaron Place

  
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Recording Secretary Pat Haver