



City of Boyne City

Founded 1856

319 N. Lake Street

Boyne City, Michigan 49712

www.cityofboynecity.com

Phone 231-582-6597

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AGENDA

BOYNE CITY PLANNING COMMISSION

Monday July 20, 2020 5:00 p.m.

Due to the COVID-19 situation and per the Governor's Executive Orders, this meeting will be held electronically. To participate via Zoom, connect to:

<https://us02web.zoom.us/j/82183525390?pwd=VnhDc3hNeURab3NNc2JzZlBoakNRdz09>

Meeting ID: 821 8352 5390

Password: 637377

Dial by your location

+1 929 205 6099 US (New York)

+1 312 626 6799 US (Chicago)

877 853 5257 US Toll-free

888 475 4499 US Toll-free

Find your local number: <https://us02web.zoom.us/j/82183525390?pwd=VnhDc3hNeURab3NNc2JzZlBoakNRdz09>

The public will be allowed to comment during the usual public comment opportunities during the meeting per City Commission policy and practice. All other times the public will be muted.

1. Call to Order
2. Roll Call - Excused Absences
3. Consent Agenda

The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be acted upon by one Commission motion without discussion. Any member of the Commission, staff, or the public may ask that any item(s) on the consent agenda be removed to be addressed immediately following action on the remaining consent agenda items. Such requests will be respected.

Approval of minutes from the June 15, 2020 Boyne City Planning Commission meeting.

4. Hearing Citizens Present (*Non-Agenda Items*)
5. Reports of Officers, Boards, Standing Committees
6. Unfinished Business
7. New Business
 - A. Public Hearing zoning change request for 600 Jefferson St to change zoning district from Conditional Multifamily Residential District to Manufactured Housing Development District.
 - B. Development Plan Review for Great Lake Energy 1323 Boyne Avenue.

An Equal Opportunity Provider and Employer

Hometown Feel, Small Town Appeal

8. Staff Report
9. Good of the Order
10. Adjournment – Next Meeting August 17, 2020

Individuals with disabilities requiring auxiliary aids or services in order to participate in municipal meetings may contact Boyne City Hall for assistance: Cindy Grice, City Clerk/Treasurer, 319 North Lake Street, Boyne City, MI 49712; phone (231) 582-0334

Approved:

Meeting of June 15, 2020	Record of the proceedings of the Boyne City Planning Commission meeting held via Zoom Meeting on Monday June 15, 2020 at 5:00 pm.
Call to Order	Chair Place called the meeting to order at 5:00 p.m. and discussed the rules of the Zoom meeting.
Roll Call	Present: Larry Chute, Skylar MacNaughton, Nichole Moblo, Tom Neidhamer, Aaron Place and Jeff Ross Absent: Rose Newton Vacancy: Two
Excused Absences Motion	2020-5-15-2 Neidhamer moved, Ross seconded, PASSED UNANIMOUSLY , to excuse the absence of Newton
Meeting Attendance	City Officials/Staff: Planning and Zoning Director Scott McPherson, Assistant Planning and Zoning Director Patrick Kilkenny and Recording Secretary Pat Haver Public Present: Two in attendance via the Zoom meeting platform
Consent Agenda Motion	Neidhamer moved, Chute seconded , a motion to approve the consent agenda, the Planning Commission minutes from February 17, 2020 as presented. Roll Call: 2020-6-15-3 Ayes: Chute, MacNaughton, Moblo, Neidhamer, Place and Ross Nays: None Absent: Newton Abstain: None Vacancy: Two Motion Carries
Citizen comments on Non-Agenda Items	None
Reports of Officers, Boards and Standing Committees	Planning Director McPherson reported there have been no committee meetings, and that the Marijuana Taskforce has not met recently due to the Covid – 19 restrictions, but anticipates them resuming their meetings within the next couple of months.
Unfinished Business	None
New Business	Planning Director Scott McPherson reviewed his staff report included in the agenda packet. Back in August of 2019 they received development plan approval for a proposed expansion; and after some issues that arose with a portion of the residential development of the area along Lake Street a new plan was developed and is being submitted for review. A contaminated site which was remediated is located in the corner of Lake Street and the entrance to the park at the access site. There are no hazards they are concerned about, however redesigned that area to include a community building; maintenance facilities and activity area including a pickle ball court instead of residential houses. With the relocation of the maintenance building from the Park Street side, additional dwelling units are being proposed with a new
Lakeview Village Development Plan Review 526 N. Lake Street	

through access drive off of Park Street. Additional landscaping in the right of way on Lake Street around the parking lot areas and around the community center needs to be looked at. There are no sidewalks proposed and staff would like to see something along the lines of what is existing currently throughout the park; or at least on one side. This will help with providing needed housing in the area, and the revisions are not major and the plans are great in scope.

Kathy Emig – Manager of Lakeview Village – As the plans were being developed, we did not include all of the proposed landscape that is needed as we were not sure if the plans would be approved as proposed, however, are very willing and flexible in working with city and staff to come up with a comprehensive plan for landscaping and sidewalks. With discussion, the board would like to see additional landscaping along the Park Street side of the development as well as the Lake Street side and utilizing the berms and natural features already in existence.

Chute – Is there the same number of units?

Emig – Yes, we maybe down 1 in total

McPherson – Originally proposed 11 units on Park Street and 11 on Lake Street, now are proposing 14 on Park St with 3 being doublewide and 11 single, and only 5 now on Lake Street.

Moble – What is the difference in the hazardous area exposure levels with having proposed office and play area and not residential units?

Emig – Soil testing shows the area has been remediated; however, they do not want any residential digging of more than 18" in depth to for gardens and trees. The management company redesigned the area so that there would be concrete pads and parking areas and community buildings to alleviate those concerns. We plan on maintaining the natural berms, and the foundation work will be slabs. There is an artesian well in the Lake street area that we would like to incorporate into some sort of water feature, maybe a drinking fountain depending on the water quality.

Place – What about the increase of impervious surfaces with the water run off?

McPherson – permits will need to be obtained, as the city currently has a storm water ordinance that must be met.

Emig – Benchmark engineering went by the state rules for water runoff and we are proposing underground wells to be put in; it would be much safer to have buried retention ponds with little ones running around and playing. The water will be captured and filtered prior to being put into the city's storm sewer system.

At this point Chair Place facilitated in the review of the Development Site Plan Review Standard - Finding of Facts. Because the plans have no major changes, it was suggested that the board concentrate on Section G. *Sidewalks, Pedestrian and Bicycle circulation* and Section K – *Landscaping, Screening and Open Space*. One question was brought up about parking numbers and if they meet our ordinance standards? Two spaces have been provided for each proposed development site, the additional parking proposed for various uses exceeds our parking ordinance requirements. The proposal meets our definition of density; the state has stricter standards, and the development plan must meet those standards in order to get their approval.

Motion

After board discussion with staff overseeing the requirements and approval of additional landscaping and sidewalks, **motion by Ross, seconded by McNaughton** to approve the Finding of Facts as presented with coordination of Section G Sidewalk specifically the addition along Terrace St/Park St. and Section K Landscaping to include additional landscaping with staff review and approval on the Park Street and Lake Street sides of the development to include the areas around all proposed residences, community center, maintenance buildings, open activity areas including the city's right of way.

Roll Call:
2020-6-15 7
Ayes: Chute, MacNaughton, Moblo, Neidhamer, Place and Ross
Nays: None
Absent: Newton
Abstain: None
Vacancy: Two
Motion Carries

Staff Report

- The Boyne City – Boyne Valley trail is 99% complete and is being heavily used. There is a section at the railroad tracks that is left to be completed.
- There is some upcoming Redevelopment Ready Community training at the end of June available to all Planning Commissioners and staff on economic development, capital improvement planning and affordable housing, check out the MAP website, coordinate with Pat if you are interested in going. Staff will send out the dates.

Good of the Order

- It was confirmed that the new trail is extremely busy, is easy to ride as it is level and is just over 6.5 miles in length. The trailheads are at the city’s airport near the terminal building and at Boyne Mountain tennis courts. On Dam Road there is an area for rest and use of restroom facilities.
- The construction along US 131 north of Thumb Lake will continue, just not sure of timeframe at this point
- What is the status on short term rentals? McPherson – Staff has not gotten any direction from the City Commission as this is a better discussion with public input and is not conducive to a Zoom meeting platform, hopefully this item will move forward when having face to face meetings is allowed.
- Lofts on Lake street project is moving forward, however, with the Covid – 19 pandemic and restrictions they were shut down also for a while and progress was stalled.
- McNaughton will not be in attendance at the July meeting, as he will be out of town.

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, July 20, 2020 at 5:00 p.m.

Adjournment
****Motion**

2020-6-15-10
MacNaughton moved, Chute seconded a motion to adjourn the June 15, 2020 meeting at 5:40 pm

Chair Aaron Place

Recording Secretary Pat Haver

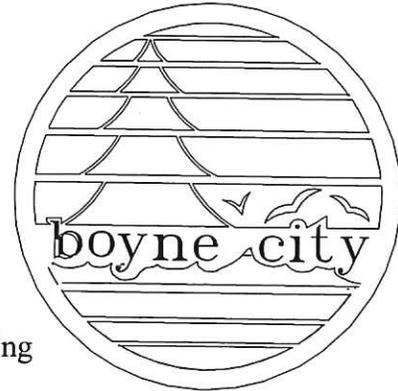
CITY OF BOYNE CITY

To: Chair Aaron Place and fellow Planning Commissioners

From: Scott McPherson, Planning Director

Date: July 20, 2020

Subject: 600 Jefferson Rezoning Application Public Hearing



Background

A rezoning application has been submitted by GISA LLC to rezone parcels 15-051-026-005-00 and 15-051-026-004-15 from Conditional Multiple Family Residential District (MFRD) to Manufactured Housing Development District (MHDD). The parcels are located at 600 Jefferson Street. Parcel 026-005-00 is approximately 20 acres with 660' of frontage on Jefferson Street and measures 1,300 feet deep. Parcel 026-004-15 which is adjacent to the east of 026-005-00 is approximately 10 acres and measure 660ft x 660ft. The properties to the north are in Evangeline Township and are zoned Rural Residential and being used for single family dwellings. The property to the East is in the City of Boyne City and zoned RED and being used for a church. To the South of the property properties are zoned RED being used for single family dwellings and conditionally zoned MFRD being used for group senior and assisted living. The properties to the West are zoned Traditional Residential District (TRD) and is being used for single family dwellings. Public sewer and water are located adjacent to the subject property on Jefferson Street. The subject parcel is currently vacant, with majority of the parcel covered with mature forest. On the eastern quarter of the property there is a significant slope and an elevation change of over 40 feet.

Discussion

The subject property was conditionally zoned for Multi Family Development in 2016. The conditional agreement specified the allowed uses, density, site layout building styles and timelines. The complete conditional zoning agreement has been attached for your reference. The deadline included in the agreement was extended by the City Commission for one year in April of 2019 and again for one year in January of 2020, the expiration date for the agreement is April 25, 2021. While the master plan future land use map designated the property as Residential Open Space, the plan also notes that "Additional specific locations for future multiple family uses are not designated on the Future Land Use map, but will be considered on a case by case basis, so that the Planning Commission can have the flexibility to review the appropriateness of specific areas when the need arises." At the time of conditional zoning approval in 2016 the need for housing in the City and region were well documented and since that time the need has only increased. Given the size and location of the property, the 30-acre tract is one of the few undeveloped large pieces of land in the city on a paved street with the availability of water and sewer, the City recognized the opportunity and approved the conditional MFRD zoning. Since the original approval the property owner considered numerous design and financing options to initiate the development, however, citing rising construction costs and labor availability, the project was not financially feasible. In February 2020 the property was sold to GISA LLC owned by Steven Bratschie.

On June 26, 2020 Mr. Bratschie submitted a zoning change application that would rescind the current conditional agreement and change the zoning designation to MHDD. The only principle permitted use allowed in MHDD district is a Manufactured Housing Development. With the application a conceptual layout and information about manufactured homes and manufactured home communities was also submitted. While the submittal of specific site plan or development concepts is not required or approvable with a zoning change application, the provided information is a good representation of what a Manufactured Housing Development on the site would look like. Manufactured Housing Developments must comply with specific zoning and State requirements of the Manufactured Housing General Rules and the layout, design and density of the provided concepts were developed in compliance with those standards. While this specific plan may not be submitted for approval if the zoning is changed, a very similar plan would need to be developed in order to meet the required standards.

Process

In accordance with the Michigan Zoning Enabling Act and the Boyne City Zoning Ordinance Section 2.40 Amendment Procedures, after receiving the application a public hearing was noticed and scheduled for the Planning Commission on July 20, 2020. The Commission should review the proposed amendment and use the amendment criteria as listed in section 2.50(C) of the zoning ordinance as a guide in making their decision on the proposed amendment. Section 2.50 (C) is as follows:

Section 2.50 Amendment Criteria.

- C. For amendment requests to change, create, extend or reduce a mapped zoning district, the Planning Commission and City Commission shall use the following as a guide:
1. The proposed zoning district is more appropriate than any other zoning district, or more appropriate than adding the desired use as a conditional land use in the existing zoning district.
 2. The property cannot be reasonably used as zoned, and the applicant cannot receive a reasonable return on investment through developing the property with one (1) of the uses permitted under current zoning at the time of purchase or at the time of securing legal control of the property.³ The proposed zone change is supported by and consistent with the goals, policies and future land use map of the adopted City Comprehensive Plan, including any sub-area or corridor studies. If conditions have changed since the Comprehensive Plan was adopted, as determined by the Planning Commission, the consistency with recent development trends in the area shall be considered.
 4. The proposed zone change is compatible with the established land use pattern, surrounding uses, and surrounding zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values, and is consistent with the needs of the community.
 5. All the potential uses allowed in the proposed zoning district are compatible with the site's physical, geological, hydrological and other environmental features.

6. The change would not severely impact traffic, public facilities, utilities, and the natural characteristics of the area, or significantly change population density, and would not compromise the health, safety, and welfare of the City. The Planning Commission may require a general impact assessment in accordance with the requirements of this Ordinance if it determines the proposed zoning change could have a negative impact upon traffic, public facilities, utilities, natural characteristics, populations density, or other concerns. A traffic impact study in accordance with the requirements of this Ordinance shall be required if the proposed rezoning district permits uses that could generate one hundred (100) or more directional trips during the peak hour, or at least one thousand (1,000) trips per day more than the majority of the uses that could be developed under current zoning.
 7. The rezoning would constitute and create an isolated and unplanned spot zone granting a special privilege to one landowner not available to others.
 8. The change of present district boundaries is consistent in relation to existing uses, and construction on the site will be able to meet the dimensional regulations for the proposed zoning district listed in the Schedule of Regulations.
 9. There has been a change of conditions in the area supporting the proposed rezoning.
 10. Adequate sites are neither properly zoned nor available elsewhere to accommodate the proposed uses permitted in the requested zoning district.
 11. There was a mistake in the original zoning classification.
 12. The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.
- D. Any amendment for the purpose of conforming to a decree of a court of competent jurisdiction shall be adopted by the City Commission and published, without necessity of a public hearing or referral thereof to any other board or agency.

Recommendation

The Planning Commission should review the requirements of section 2.50(C) and determine if the proposed meets any of the criteria for an amendment to the Ordinance and make a recommendation to the City Commission.

SECTION 1 - TITLE

CONDITIONAL REZONING AGREEMENT

between

Macksey Built Properties, Alfred J. Macksey III, President, 44 N Lake St, Boyne City MI
49712

(the applicant) and the

City of Boyne City, Charlevoix County, Michigan

for the rezoning of property located at

600 Jefferson St, Boyne City, MI. 49712

Property Identification Numbers 15-051-026-005-00 & 15-051-026-004-15

SECTION 2 - PROPERTY AND PARTIES

THIS CONDITIONAL REZONING AGREEMENT is made of this 11th day of April 2017, by Macksey Built Properties, Ted Macksey Owner, 44 N Lake St, Boyne City, MI 49712, herein after referred to as the applicant being the property owner of certain property having the Property Identification Numbers 15-051-026-005-00 & 15-051-026-004-15 and the City of Boyne City, Charlevoix County, Michigan herein after referred to as the City of Boyne City.

SECTION 3 – CONDITIONAL REZONING OFFER

WHEREAS, The applicant being the owners of certain property located at 600 Jefferson St, Boyne City, MI. 49712, Property Identification Numbers 15-051-026-005-00 & 15-051-026-004-15, legally described on the attached Exhibit “A” which is incorporated herein by reference, have petitioned the City of Boyne City for the conditional rezoning of this property from the Rural Estate District (RED) to Multifamily Residential District (MFRD) zoning classification as set forth in the City of Boyne City Zoning Ordinance, effective May 23, 2001, as amended to date, for the purpose of permitting and constructing a residential housing development consisting of single family, two family and multifamily dwellings, including but not limited to, apartments, apartment housing, townhouses, terraces, efficiency units and right-of-way houses, to be served with extensions of municipal sanitary sewer and water systems, private roads and other public and private utilities, all pursuant to federal, state and local rules and regulations as may be applicable and all pursuant to the preliminary plans and narratives attached herein and in such forsaking all other uses that may permitted by right, by special use permit, or by any other means in the MFRD Zoning Classification.

The parcels shall be divided into two sections, hereafter being referred to as “Section A” and “Section B” and as described and depicted on the Conditional Rezoning Offer and Concept Plan prepared by Progressive Associates Inc., project number 17-009, dated October 4, 2016 and attached as Exhibit “B”. “Section A” will consist of 18.09 acres which will have a maximum density of no more than 6 dwelling units per gross acre for a total maximum density of no more than 108 total dwelling units. Maximum dwelling units per building in “Section A” shall be no more than 8 dwellings per building. “Section B” will consist of 13.03 gross acres which will have a maximum density of 8 dwelling units per acres for a total maximum density of 104 total dwelling units. Maximum dwelling units per building in “Section B” shall be no more than 16 dwellings per

building. Total dwelling units for “Section A” and “Section B” totaling 31.12 acres shall be no more than 212 dwelling units for a maximum 6.8 units per acre. A 30’ natural buffer barrier shall be maintained whenever possible around the perimeter of the property, excluding road right of ways, storm drainage detention/retention areas and utility easements.

The proposed residential uses as stipulated shall be compliant with the requirements Article VI Multifamily District of the Boyne City Zoning Ordinance. Specifically, the proposed development will be compliant with the development requirements as per Section 6.4 A, B, C, D, E, F, G, H2, H3 and H4. The maximum number of dwelling units per acre as stipulated per Section 6.4 H1 shall be reduced to 6.8. Further, as described in Section 6.4 H2 the development is to be constructed with private streets that shall meet all municipality minimum requirements and standards including but not limited to a minimum right-of-way of sixty six (66) feet. Pedestrian sidewalks shall meet all municipalities’ requirements as specified in Article XIX Development Requirements Section 19.40G. Buildings shall be constructed to meet all municipality standards as specified in Article XXII Design Standards and be consistent with the conceptual housing styles as shown on the attached Exhibit “C”.

SECTION 4- STATUTORY AUTHORITY

WHEREAS, the applicant has requested the conditional rezoning of the subject property to allow for the constructing a residential housing development consisting of single family, two family and multifamily dwellings, for rental or ownership, to be served with extensions of municipal sanitary sewer and water systems, private roads and other public and private utilities, all pursuant to federal, state and local rules and regulations as may be applicable and all pursuant to the preliminary plans and narratives attached herein and in such forsaking all other uses that may permitted by right, by special use permit, or by any other means in the MFRD Zoning Classification by a contract that stipulates the terms of and conditions for use, of the property under the authority of Section 405 of the Michigan Zoning Enabling Act, P.A. 110 of 2006 (MCL125.404) and Article X of the City of Boyne City Zoning Ordinance, effective May 23, 2001, as amended to date.

SECTION 5 - TERMS AND CONDITIONS

NOW, THEREFORE, in consideration of the premises and rights reserved, herein, and in order to accomplish the forgoing purposes, the undersigned hereby agree:

1.To rezone the subject property to allow for the constructing a residential housing development consisting of single family, two family and multifamily dwellings, for rental or ownership, to be served with extensions of municipal sanitary sewer and water systems, private roads and other public and private utilities, all pursuant to federal, state and local rules and regulations as may be applicable and all pursuant to the preliminary plans and narratives attached herein and in such forsaking all other uses that may permitted by right, by special use permit, or by any other means in the MFRD Zoning Classification.

2. The development as described in the Conditional Rezoning Offer shall be developed in phases subject to the following time frames: Within two (2) years of the signature date of the Conditional Zoning Agreement, the first phase Final Development Plan shall be submitted to the Boyne City Planning Commission. Within six (6) months of approval of the Final Development Plan for the first phase, the applicant shall obtain all necessary permits from all City, County and State agencies for the site work, extension of all utilities and road construction of the project's first phase. The applicant shall commence construction of the project within (6) months from obtaining City, County and State permits. The applicant shall have ten (10) years from the date of the first phase development final approval to complete the final phase of the development.
3. It is understood by all parties that this Conditional Rezoning Offer included in this Conditional Zoning Agreement and all corresponding conditions and limitations were proposed voluntarily by the applicant, and that the City in its review and determination have relied upon the same.
4. The property identified in Exhibit "A" attached hereto shall be developed or used in a manner that conforms to the requirements of the MFRD District and all specific conditions and limitations as incorporated into this Conditional Zoning Agreement.
5. That this Conditional Zoning Agreement shall be binding upon and inure to the benefit of the applicant and landowner and the City of Boyne City, and their respective heirs, successors, assigns receivers or transferees.
6. That if the rezoning becomes void under the Zoning Ordinance no development shall take place and no permits will be issued unless and until a new Zoning District classification for the property has been established or a new rezoning has been approved.
7. That each of the conditions and limitations in the Conditional Zoning Agreement are necessary and reasonably related and roughly proportional in nature and extent to the impact created by the uses or activities authorized in the Zoning Agreement.
8. That no part of the Conditional Zoning Agreement shall permit any activity, use, or condition that would otherwise be prohibited in the Zoning District to which the property is rezoned.
9. That the Conditional Rezoning Concept Plan submitted with and for the Conditional Rezoning offer and referenced herein in Exhibit "B" is conceptual in nature with the intent show the basic layout and design of the development. Prior to the issuance of any permits or commencement of any construction activities, a Final Development Plan, meeting all the requirements as specified by Article XIX Development Requirements, must be approved by the Boyne City Planning Commission and other applicable agencies. The Final Development Plan approved by the Planning Commission shall be incorporated into this document and attached as Exhibit "D".

SECTION 7 - OTHER REPRESENTATIONS AND AGREEMENTS

This Conditional Zoning Agreement constitutes the entire agreement between the parties with respect to the matter set forth herein, and there are no representations, warranties, covenants, or obligations except as set forth herein. This Agreement supersedes all prior contemporaneous agreements, understandings, negotiations statements and discussion, written or oral, of the parties hereto, relating to the matters contemplated by the Agreement.

SECTION 8 - VIOLATION AND ENFORCEMENT

The failure of any party to complain or enforce of any act or omission on the part of another party, no matter how long the same may continue, shall not be deemed to be an acquiescence or waiver by such party of any of its rights hereunder. No waiver by any party at any time, expressed or implied, or any breach of any provision of this Conditional Zoning Agreement shall be deemed a waiver of a breach of any other provision of this Conditional Zoning Agreement or a consent to any subsequent breach of the same or any other provision of this Conditional Zoning Agreement. If any action by any party shall require the consent or approval of another party(ies), such consent or approval of such action shall not be deemed a consent to or approval of any other provision of this agreement.

SECTION 9- GOVERNING LAW

This Conditional Zoning Agreement shall be governed by the laws of the State of Michigan.

SECTION 10 - DELIVERY OF NOTICES

Notice shall be deemed as given hereunder upon personal delivery to the addresses set forth below, or if properly addressed, one (1) day after depositing such notice, with postage prepaid, in a United States mailbox or one (1) day after depositing such notice in the custody of a nationally recognized overnight delivery service. Notice shall be deemed properly addressed if sent to the following address.

Applicant and Property Owner:

Macksey Built Properties, Alfred J. Macksey III, President, 44 N Lake St, Boyne City, MI 49712

SECTION 11 - SIGNATURE BY FACSIMILE

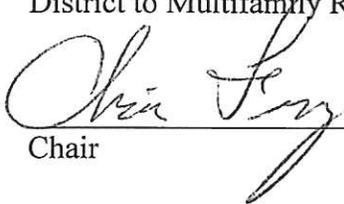
The parties agree that this Conditional Zoning Agreement may be executed by facsimile or in counterparts, and that all counterparts together, with or without facsimile signatures, shall constitute one integrated agreement and be deemed an original document.

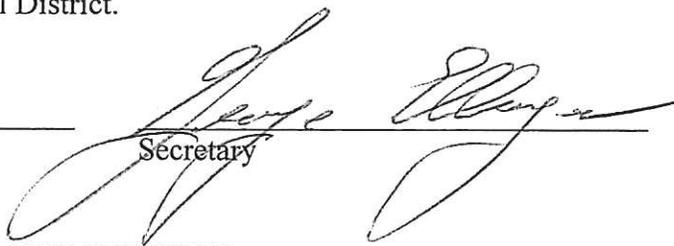
SECTION 12 - RECORDING WITH REGISTER OF DEEDS

This document or Affidavit or Memorandum giving notice of this document shall be recorded with the Charlevoix County and City of Boyne City Register of Deeds Office.

SECTION 13 - PLANNING COMMISSION REVIEW AND PUBLIC HEARING

After proper public notice was given and a public hearing held on September 19, 2016, before the City of Boyne City Planning Commission for a zoning map change of the subject parcels from Rural Estate District to Multifamily Residential District, a motion was duly made and approved as recorded in the minutes of the Planning Commission meeting of March 20, 2017, recommending the City of Boyne City Commissioners approve this Conditional Rezoning map change of the subject parcels from Rural Estate District to Multifamily Residential District.


Chair


Secretary

SECTION 14 - SIGNATURE AND NOTARIZATION

IN WITNESS WHEREOF, the undersigned has executed this **CONDITIONAL REZONING AGREEMENT** for and on behalf of Macksey Built Properties on the date first above written.

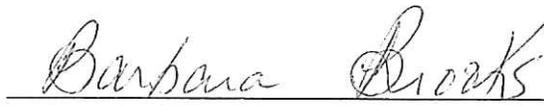
Macksey-Built Properties, Alfred J. Macksey III, President, 44 N Lake Street, Boyne City, MI 49712


Alfred J. Macksey III, President

STATE OF MICHIGAN)
)SS
COUNTY OF CHARLEVOIX)

BARBARA A. BROOKS
Notary Public, Charlevoix Co., MI
My Comm. Expires January 4, 2018

On this 21 day of April, 2017, before me, a Notary Public, in and for said County, personally appeared


Notary Public,
Acting in Charlevoix County, Michigan
My Commission Expires:

IN WITNESS WHEREOF, the undersigned has executed this **CONDITIONAL REZONING AGREEMENT** for and on behalf of the City of Boyne City, Charlevoix County, Michigan pursuant to a resolution duly approved by the City of Boyne City Board of Commissioners on the date first above written.

FOR THE City of Boyne City:

By: Thomas Neidhamer
Its: Mayor

By: Cindy Grice
Its: Clerk

STATE OF MICHIGAN)
)SS
COUNTY OF CHARLEVOIX)

BARBARA A. BROOKS
Notary Public, Charlevoix Co., MI
My Comm. Expires January 4, 2018

On this 25 day of April, 2017, before me, a Notary Public, in and for said County, appeared

Thomas Neidhamer and Cindy Grice of the City of
Boyne City for and on behalf of the City of Boyne City
Notary Public
Acting in Charlevoix County, Michigan
My Commission Expires: 1/4/2018

Exhibit "A"

Land situated in the State of Michigan, County of Charlevoix, City of Boyne City.

Commencing at a T-iron stake at the South 1/4 corner of Section 26, Township 33 North, Range 6 West; thence along the North and South 1/4 line of said Section on a bearing of North 659.34 feet to a 1/2 inch rod in the centerline of Jefferson Street, being the Point of Beginning of this description; thence continuing along said 1/4 line and along the centerline of Jefferson Street on a bearing of North 659.34 feet to a 1/2 inch rod on the South 1/8 line of said Section; thence along said 1/8 line North 89 degrees 59'29" East 33.00 feet to a 1/2 inch rod on the East line of said street; thence continuing along said 1/8 line North 89 degrees 59'29" East 1294.42 feet to a 1/2 inch rod on the East 1/8 line of said Section; thence continuing along said South 1/8 line, as monumented, South 89 degrees 52'22" East 661.95 feet to a 1/2 inch pipe; thence South 00 degrees 00'56" East 1287.38 feet to a 1/2 inch rod on the North line of Vogel Street; thence continuing South 00 degrees 00'56" East 33.00 feet to the South line of said Section; thence along said Section line and along the centerline of Vogel Street, North 89 degrees 54'52" West 663.24 feet to a 1/2 inch rod on said East 1/8 line; thence along said 1/8 line North 00 degrees 02'27" East 627.43 feet to a 1/2 inch rod; thence North 89 degrees 57'41" West 1293.95 feet to a 1/2 inch rod on the East line of Jefferson Street; thence continuing North 89 degrees 57'41" West 33.00 feet to the Point of Beginning; being a part of the South 1/2 of the Southeast 1/4 of said Section 26. EXCEPTING THEREFROM: Beginning North 89 deg. 13'59" West, along the South section line, 662.97 feet from the Southeast corner of said Section 26; thence continuing North 89 deg. 13'59" West along said South section line, 662.97 feet to the East 1/8 line; thence North 00 deg. 43'02" East, along said East 1/8 line, 656.89 feet; thence South 89 deg. 13'59" East parallel with said South section line, 663.28 feet; thence South 00 deg. 44'40" West along the East line of the West 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 656.89 feet back to the point of beginning.

ALSO HAVING BEEN DESCRIBED AS:

Parcel 1:

The North 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 26, Township 33 North, Range 6 West.

AND

Parcel 2:

The North 1/2 of the West 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 26, Town 33 North, Range 6 West.

CONDITIONAL REZONING OFFER

Property Owner: Macksey-Built Properties, Inc.

City Of Boyne City, Conditional Rezoning Request from Residential Estate District (RED) to Multifamily Residential District (MFRD) for Property commonly known as; 600 Jefferson Street Boyne City, MI 49712, ID Number(s) 051-026-005-00 & 051-026-004-15 legally described as; See attached Exhibit A.

Written Offer:

Macksey-Built Properties is applying for Conditional Rezoning as stated above for the 31.12 acres as shown on the attached drawings by Progressive Associated, Inc. dated 02/15/17. The property and the proposed development will strictly be limited to market rate non-subsidized residential housing use only. Residential housing use is described as, single and two family dwellings and multifamily dwellings, including, but not limited to, apartments, apartment housing, townhouses, terraces, efficiency units and right-of-way houses. All other uses provided in the Multifamily Residential District (MFRD) shall be prohibited.

The property will be split into two sections, hereafter being referred to as "Section A" and "Section B". "Section A" will consist of 18.09 acres. Total density for "Section A" will be no more than 6 dwelling units per gross acre for a total maximum density of 108 total dwelling units. Maximum dwelling units per building in "Section A" will be no more than 8 dwelling units per building. "Section B" will consist of 13.03 gross acres. Total density for "Section B" will be no more than 8 dwelling units per acre for a total maximum density of 104 total dwelling units. Maximum dwelling units per building in "Section B" will be 16 dwelling units per building. Total dwelling units for "Section A" and "Section B" 31.12 acres will be no more than 212 dwelling units or 6.8 units per gross acre. A 30' natural buffer barrier shall be maintained whenever possible around the perimeter of the property, excluding road right of ways, storm drainage detention/retention areas and utility easements.

As described in Article VI Multifamily Residential District (MFRD) of the Boyne City Zoning Ordinance. All Development Requirements described in Section 6.4: A, B, C, D, E, F, G, H2, H3, H4 shall apply. Section 6.4 H1 is excluded and shall be replaced with; the maximum number of dwelling units per acre shall not exceed (6.8). Further, as described in Section 6.4 H2 the development is to be constructed with private streets and shall meet all municipality minimum requirements and standards including but not limited to a minimum right-of-way of sixty six (66) feet. Pedestrian sidewalks shall meet all municipalities' requirements as specified in Article XIX Development Requirements Section 19.40 G. Buildings shall be constructed to meet all municipality standards as specified in Article XXII Design Standards.

The property shall be developed in multiple phases. Within two (2) years of the Signature Date of the Conditional Rezoning Agreement, the First Phase Development Plan shall be submitted to the City Planning Commission. Within six (6) months of approval of the Final Development Plan for the first phase, Developer shall obtain all necessary permits from all City, County and State agencies for site work, extension of all utilities and road construction of the project's first phase. The Developer shall commence construction of the project within six (6) months from obtaining City, County and State permits. The Developer shall have ten (10) years from the date of the First Phase Development Plan final approval to complete the final phase of the development.

PROPOSED TOTAL AREA "A" & "B" SITE DATA:

TOTAL SITE AREA: 31.12 GROSS ACRES (1,355,587.2 GROSS SQ.FT.)
 PROPOSED ZONING: MFRD - MULTI-FAMILY RESIDENTIAL CONDITIONAL ZONING DISTRICT
 ALLOWED DENSITY UNDER MFRD ZONING: (10) UNITS PER GROSS ACRE / (310) TOTAL UNITS ALLOWED
 PROPOSED TOTAL AREA "A" & "B" DENSITY: (6.8) UNITS PER GROSS ACRE / (212) TOTAL UNITS PROPOSED
 MIN. DWELLING UNIT SIZE: = 500 SQ.FT. MIN. PER DWELLING UNIT

PROPOSED AREA "A" CONDITIONAL ZONED SITE DATA:

AREA "A" SITE AREA: 18.09 GROSS ACRES (788,000.4 GROSS SQ.FT.)
 PROPOSED - TOTAL AREA "A" DENSITY: (6) UNITS PER GROSS ACRE / (108) TOTAL UNITS PROPOSED
 - NO MORE THAN (8) DWELLING UNITS PER BUILDING MAX.

PROPOSED AREA "B" CONDITIONAL ZONED SITE DATA:

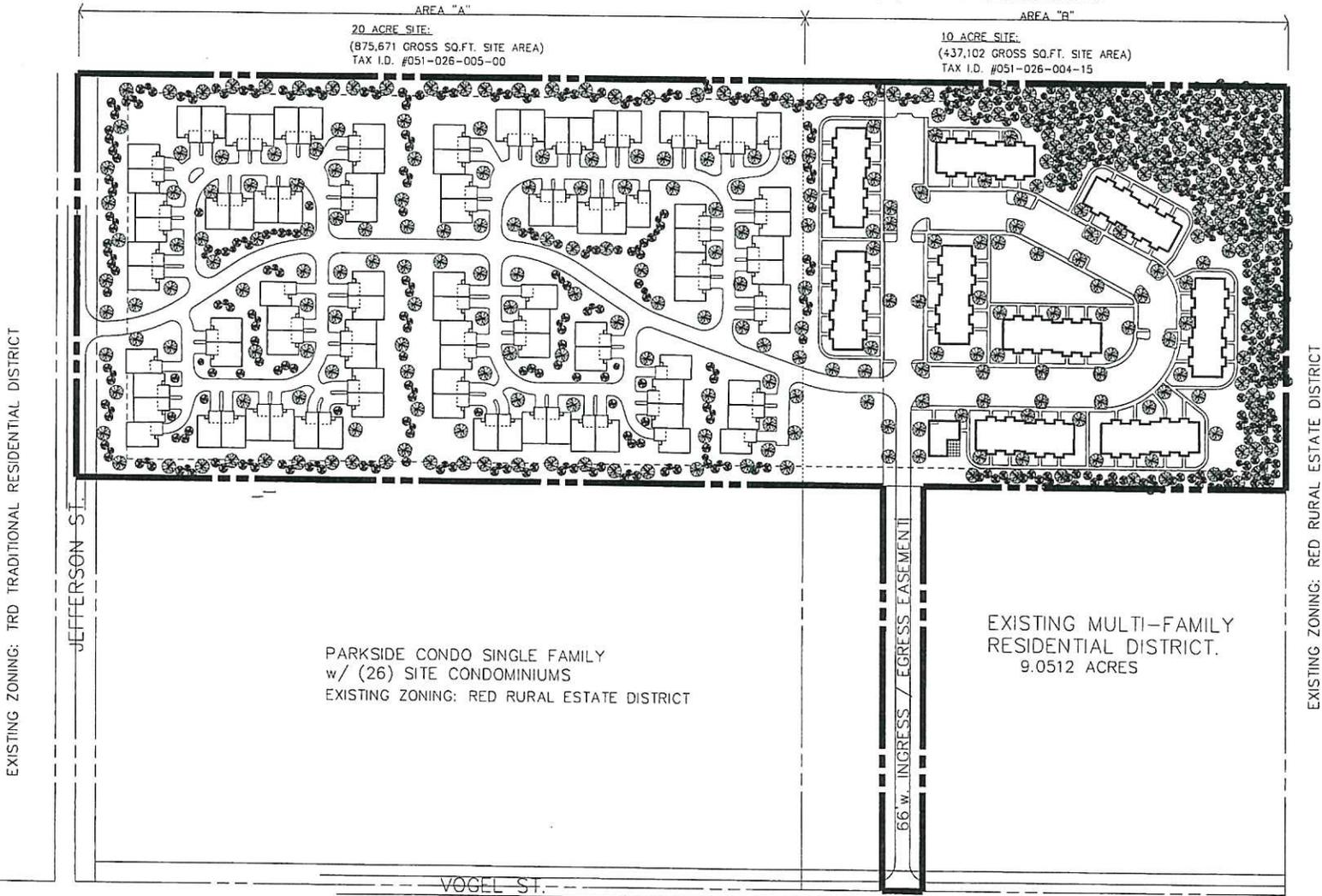
AREA "B" SITE AREA: 13.03 GROSS ACRES (567,586.8 GROSS SQ.FT.)
 PROPOSED - TOTAL AREA "B" DENSITY: (8) UNITS PER GROSS ACRE / (104) TOTAL UNITS PROPOSED
 - NO MORE THAN (16) DWELLING UNITS PER BUILDING MAX.

Progressive
 Progressive Associates, Inc.
 Architects

838 W. Long Lake #250
 Bloomfield Hills, MI 48302
 248 548-9740 Fax: 248 548-4120
 Email: pa@progressiveassociates.com

PROGRESSIVE NORTH L.L.C.
 425 Michigan St. Suite #3
 Farmley, MI 49710
 261 487-9200 Fax: 261 487-9209
 Total: terra@charter.net

Issued For:
 REVIEW
 03.13.17



CONDITIONAL REZONING CONCEPT PLAN

SCALE: 1" = 80'-0"



Project:	Proposed Residential Development
BOYNE CITY, MICHIGAN	
Sheet Title:	CONCEPT PLAN
Project Number:	17-009
Drawn:	CI
Checked:	PN/PA
Date:	10.04.16
Sheet Number:	SK1

Conceptual Housing Styles



Conceptual Housing Styles



Conceptual Housing Styles



Conceptual Housing Styles



Scott McPherson

From: Alyssa Belcher <alyssashaebelcher@gmail.com>
Sent: Thursday, July 9, 2020 2:51 PM
To: Scott McPherson
Subject: Zoning Input

Hi there! I won't be able to attend the zoning meeting in person, but would love to give my input on the matter. I'm a 23 year old single mother of a little boy, who's 2 1/2 years old. We've been living with my parents, and while I'm very fortunate to have a place for us to stay, it also hasn't been easy living our entire lives out of 1 bedroom that we both share. I had been planning on working towards getting my own place when I found out I was expecting, and that changed everything. It's been extremely hard to find somewhere to live with 1 income, while supporting a child and especially while trying to stay close to family in the boyne city area. With rent starting at 600-700\$+ for a 1 bedroom, and the demand for rentals and apartments being so high, I know I'm not the only one struggling to find somewhere to go. I've also had my heart set on OWNING a place. I cannot bring myself to throw hundreds out the window every month renting something, when I know I could be spending around the same amount every month and be able to call it mine. This would be such an amazing opportunity for single parents, 1 income families, or lower income families to be able to feel comfortable, at home, and actually ENJOY their home of Boyne City and appreciate all the greatness that comes with it rather than living wherever they can find/afford. I've found myself looking into places like this to live in surrounding areas before, but can't bring myself to leave beautiful Boyne City. I believe our local residents could highly benefit from this!!

Thank you for your time,
Alyssa

Scott McPherson

From: Steven Edwards <steven.edwards98@yahoo.com>
Sent: Thursday, July 9, 2020 1:12 AM
To: Scott McPherson

I want a house or trailer I support the idea

Sent from Yahoo Mail on Android

Haggard's

PLUMBING and HEATING

"Business of Quality and Service"

"Charlevoix-the-Beautiful"

haggardsinc@hotmail.com

July 2, 2020

Boyne City Hall
319 N. Lake St.
Harbor Springs, MI 49712

RE: Application Submitted by GISA LLC, for the rezoning of a 2 parcel of land from Conditional Multi Family to Housing Development District. Parcel#15-051-026-005-00 and 15-051-026-004-15

To Whom it May Concern,

Upon reviewing the above Article, I would like to express my view on the above plan request. Haggard's Plumbing & Heating is not opposed to the changed of the property and/or the request to the Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time to either build and/or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county and state to do all we can to improve and promote growth in anyways possible.

Sincerely,



JOHN HAGGARD

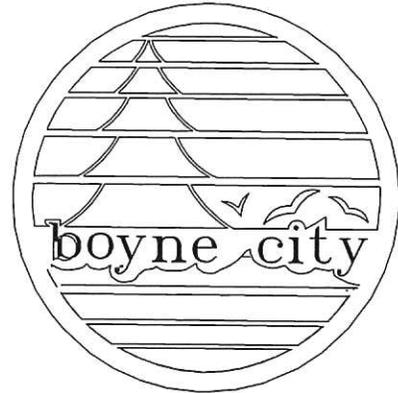
CITY OF BOYNE CITY

To: Aaron Place and fellow Planning Commissioners

From: Scott McPherson, Planning Director

Date: July 20, 2020

Subject: 1323 Boyne Ave Development Plan Review



Background Information

Great Lakes Energy is requesting development plan approval to renovate and expand their existing facility located for parcels 051-336-165-30, 051-336-164, 051-300-009-10 and 051-336-165-30 located at 1323 Boyne Ave. The 19.7-acre site is zoned RC/IND and PID and is the current office and storage yard for Great Lakes Energy.

Discussion

The proposed project would expand the existing facility with two building additions and freestanding garage and reconfigure the site parking and storage areas with associated site and infrastructure improvements. The proposed additions would be similar in character and architecture of the existing facility and surrounding area. The existing facility consists of a 3 story 55,983 sqft office building and 1 story 18,787 sqft storage building. The proposed plan will add a 1 story 75,457 sqft truck storage and 2 story 24,308 office and will remodel the existing truck storage to office space. The three existing storage structures will be relocated to the northwest section of the site. The easterly access drive on Boyne Avenue will be removed and the westerly access drive on Boyne Avenue will be shifted to the west to line up with Boyne Summit Drive. Existing accesses on Air Industrial Park will remain. A new access will be developed on Altair Drive on the west end of the site. The existing and proposed use of the site for the purpose of providing electrical and internet service is classified as an essential service and the use and related accessory uses are permitted as per BCZO 21.52. The proposed plan meets ordinance BCZO section 20.20 Schedule of Regulation criteria for setback, building area and building height. A landscaping plan has been provided, while the plan does not include the exact amounts of trees and shrubs as required Article XXIII Landscaping standards, the existing landscaping in addition to the proposed installations appears to accomplish the ordinance objective of creating the necessary buffers and aesthetics. GLE has requested the planning Commission consider modification of the required standards as allowed per BCZO section 23.60. The parking requirement for essential services is not specifically mentioned in BCZO section 24.30. To calculate the required parking section 24.20 permits the Planning Commission to consider a similar use to determine the minimum parking. In this instance the parking requirement for Government Offices of 1 space per 1000 square feet appears to be the most appropriate given the nature of the facility and character of use. Using this requirement, the 211 proposed parking spaces would exceed the required minimum of 99. As the facility has properties located in the industrial park review by the EDC/LDFA is required and was completed on July 13th. The plan was supported with the recommendation of the inclusion of sidewalk along Boyne Avenue.

Process

The Planning Commission should then review the Development plan requirements. On each item of the findings the Commission needs to make a determination based on the relevant facts if the standard is met, not met or met with conditions. The Planning Commission can approve the application, approve the application with conditions or deny the application. If approved with conditions the conditions must be listed, if denied the reasons for denial must be state the reason for the denial.



Approved: _____

**MEETING OF
July 13, 2020**

**MINUTES OF THE BOYNE CITY LOCAL DEVELOPMENT FINANCE AUTHORITY
MEETING DULY CALLED AND HELD ON MONDAY, July 13, 2020 at City Hall, 319 N
Lake Street, Boyne City**

CALL TO ORDER

Chair Gillett called the meeting to order at 1:19 p.m.

ROLL CALL

Present: Kelly Bellant, Michael Cain, Michelle Cortright, Pete Friedrich and Ralph
Gillett

Absent: Pat Anzell, Josette Lory and Drew May

**EXCUSED ABSENCES
MOTION**

Cain moved, Friedrich seconded, PASSED UNANIMOUSLY to excuse Pat Anzell,
Josette Lory and Drew May.

MEETING ATTENDANCE

Staff: Recording Secretary Jane Halstead

Public: One

**APPROVAL OF MINUTES
MOTION**

Bellant moved, Cortright seconded, PASSED UNANIMOUSLY to approve the October
14, 2019 meeting minutes as presented.

**HEARING CITIZENS
PRESENT**

None.

None.

CORRESPONDENCE

**UNFINISHED BUSINESS
Business Park Sign**

The Board discussed the latest plans for the new Business Park Sign which were
presented to them by Bruce Janssen at the EDC Board meeting. They like the
proposed design concept and the plan fits within the amount budgeted for the
project. Lighting and letter details need to be worked out and the site for the
sign will need some prepping with possible tree removal. The Board wants the
sign installed by the end of June.

MOTION

Friedrich moved, Cortright seconded, PASSED UNANIMOUSLY to approve the
Business Park Sign design concept as presented with final cost details
forthcoming and with a completion deadline of June 30th, 2020.

**NEW BUSINESS
Board Vacancy**

City Manager Cain will contact Drew May and find out his intentions about
remaining on the Board.

Expirations of Terms
MOTION

The terms for Kelly Bellant and Josette Lory expire on March 11, 2020.

Cain moved, Friedrich seconded, PASSED UNANIMOUSLY to recommend to the City Commission the reappointment of Kelly Bellant and Josette Lory to the Local Development Finance Authority for 4 year terms ending 3/11/2024.

Budget Discussion

General discussion was held regarding the budget. The main expenditures anticipated are the new sign for the business park, legal fees for inclusion of new property and costs associated with the development of new property.

2020 Calendar
MOTION

Cortright moved, Friedrich seconded, PASSED UNANIMOUSLY to approve the 2020 LDFA meeting calendar as presented.

GOOD OF THE ORDER

None.

ANNOUNCEMENTS

The next meeting of the Local Development Finance Authority is scheduled for March 9, 2020.

ADJOURNMENT

The January 13, 2020 Local Development Finance Authority meeting was adjourned at 1:38 p.m.

Pete Friedrich, LDFA Secretary

Jane Halstead, Recording Secretary

**DEVELOPMENT SITE PLAN REVIEW STANDARDS
FINDINGS OF FACT
GREAT LAKES ENERGY 1325 BOYNE AVE**

Section 19.40 Development Plan Approval Criteria.

In order that buildings, open space and landscaping will be in harmony with other structures and improvements in the area, and to ensure that no undesirable health, safety, noise and traffic conditions will result from the development, the Planning Commission shall determine whether or not the development plan meets the following criteria, unless the Planning Commission determines that one or more of such criteria are inapplicable:

ORDINANCE REQUIREMENT	FACTS	FINDINGS
<p><u>A. General.</u> All elements of the development plan shall be designed to take into account the site's topography, the size and type of plot, the character of adjoining property, and the traffic operations of adjacent streets. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance. The development plan shall conform with all requirements of this Ordinance, including those of the applicable zoning district(s).</p>	<p>The 19.7 acre site is zoned RC/IND and PID and is the current office and storage yard for Great Lakes Energy. The proposed project would expand the existing facility with two building additions and freestanding garage and reconfigure the site parking and storage areas with associated site and infrastructure improvements. The proposed additions would be similar in character and architecture of the existing facility and surrounding area. The proposed expansion of the existing uses will not impede the orderly development of the surrounding property and improvements to the existing traffic operations are proposed. The proposed uses and additions conform to the applicable ordinance requirements.</p>	
<p><u>B. Building Design.</u> The building design shall relate to the surrounding environment in regard to texture, scale, mass, proportion, and color. High standards of construction and quality materials will be incorporated into the new development. In addition to following design guidelines adopted in specific district or sub-area plans, the building design shall meet the architectural and building material requirements of this Ordinance.</p>	<p>Existing facility consists of a 3 story 55,983 sqft office building and 1 story 18,787 sqft storage building. The proposed plan will add a 1 story 75,457 sqft truck storage and 2 story 24,308 office and will remodel the existing truck storage to office space. Three existing storage structures will be relocated on the site. The building design matches the existing style and character and meets the ordinance architectural requirements.</p>	
<p><u>C. Preservation of Significant Natural Features.</u> Judicious effort shall be used to preserve the integrity of the land, existing topography, and natural, historical, and architectural features as defined in this Ordinance, in particular wetlands designated /regulated by the Michigan Department of Environmental Quality, and, to a lesser extent, wetlands which are not regulated by the Department.</p>	<p>No significant natural features will be impacted by the proposed additions.</p>	
<p><u>D. Streets.</u> All streets shall be developed in accordance with the City of Boyne City Subdivision Control Ordinance and City Municipal Standards, unless developed as a private road in accordance with the requirements of the City.</p>	<p>No new streets are proposed</p>	

**DEVELOPMENT SITE PLAN REVIEW STANDARDS
FINDINGS OF FACT
GREAT LAKES ENERGY 1325 BOYNE AVE**

<p><u>E. Access, Driveways and Circulation.</u> Safe, convenient, uncongested, and well defined vehicular and pedestrian circulation within and to the site shall be provided. Drives, streets, parking and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points. All driveways shall meet the design and construction standards of the City. Access to the site shall be designed to minimize conflicts with traffic on adjacent streets, particularly left turns into and from the site. For uses having frontage and/or access on a major traffic route, as defined in the City of Boyne City Comprehensive Plan, the number, design, and location of access driveways and other provisions for vehicular circulation shall comply with the access management provisions of this Ordinance.</p>	<p>The easterly access drive on Boyne Ave will be removed and the westerly access drive on Boyne Ave will be shifted to the west to line up with Boyne Summit Drive. Existing accesses on Air Industrial Park will remain. A new access will be developed on Altair Dr on the west end of the site.</p>	
<p><u>F. Emergency Vehicle Access.</u> All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department, Ambulance Department and Police Department.</p>	<p>Site accessibility has been reviewed by BCPD, Fire Dept and Ambulance Dept, necessary access for emergency vehicles is provided.</p>	
<p><u>G. Sidewalks, Pedestrian and Bicycle Circulation.</u> The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and sidewalks/pedestrian or bicycle pathways in the area. There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of primary and secondary schools, playgrounds, local shopping areas, fast food/service restaurants and other uses which generate a considerable amount of pedestrian or bicycle traffic.</p>	<p>Sidewalk is located in the ROW along Air Industrial Drive.</p>	
<p><u>H. Barrier-Free Access.</u> The site has been designed to provide barrier-free parking and pedestrian circulation.</p>	<p>Site has existing barrier free access.</p>	

**DEVELOPMENT SITE PLAN REVIEW STANDARDS
FINDINGS OF FACT
GREAT LAKES ENERGY 1325 BOYNE AVE**

<p><u>I. Parking.</u> The number and dimensions of off-street parking [spaces] shall be sufficient to meet the minimum required by this Ordinance. However, where warranted by overlapping or shared parking arrangements, the Planning Commission may reduce the required number of parking spaces, as provided in this Ordinance.</p>	<p>Site meets ordinance requirements for parking number and layout.</p>	
<p><u>J. Loading.</u> All loading and unloading areas and outside storage areas, including refuse storage stations, shall be screened in accordance with this Ordinance.</p>	<p>Loading and storage areas to be screened with existing and new landscaping.</p>	
<p><u>K. Landscaping, Screening, and Open Space.</u> The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. Landscaping, landscape buffers, greenbelts, fencing, walls and other protective barriers shall be provided and designed in accordance with the landscaping provisions of this Ordinance. Recreation and open space areas shall be provided in all multiple-family residential and educational developments.</p>	<p>Landscaping Plan Provided</p>	
<p><u>L. Soil Erosion Control.</u> The site shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material. The final determination as to adequacy of, or need for, lateral support shall be made by the Planning Director or City Engineer, and have a valid Charlevoix County Soil Erosion permit.</p>	<p>Soil erosion/Storm Water permit must be obtained if required.</p>	

**DEVELOPMENT SITE PLAN REVIEW STANDARDS
FINDINGS OF FACT
GREAT LAKES ENERGY 1325 BOYNE AVE**

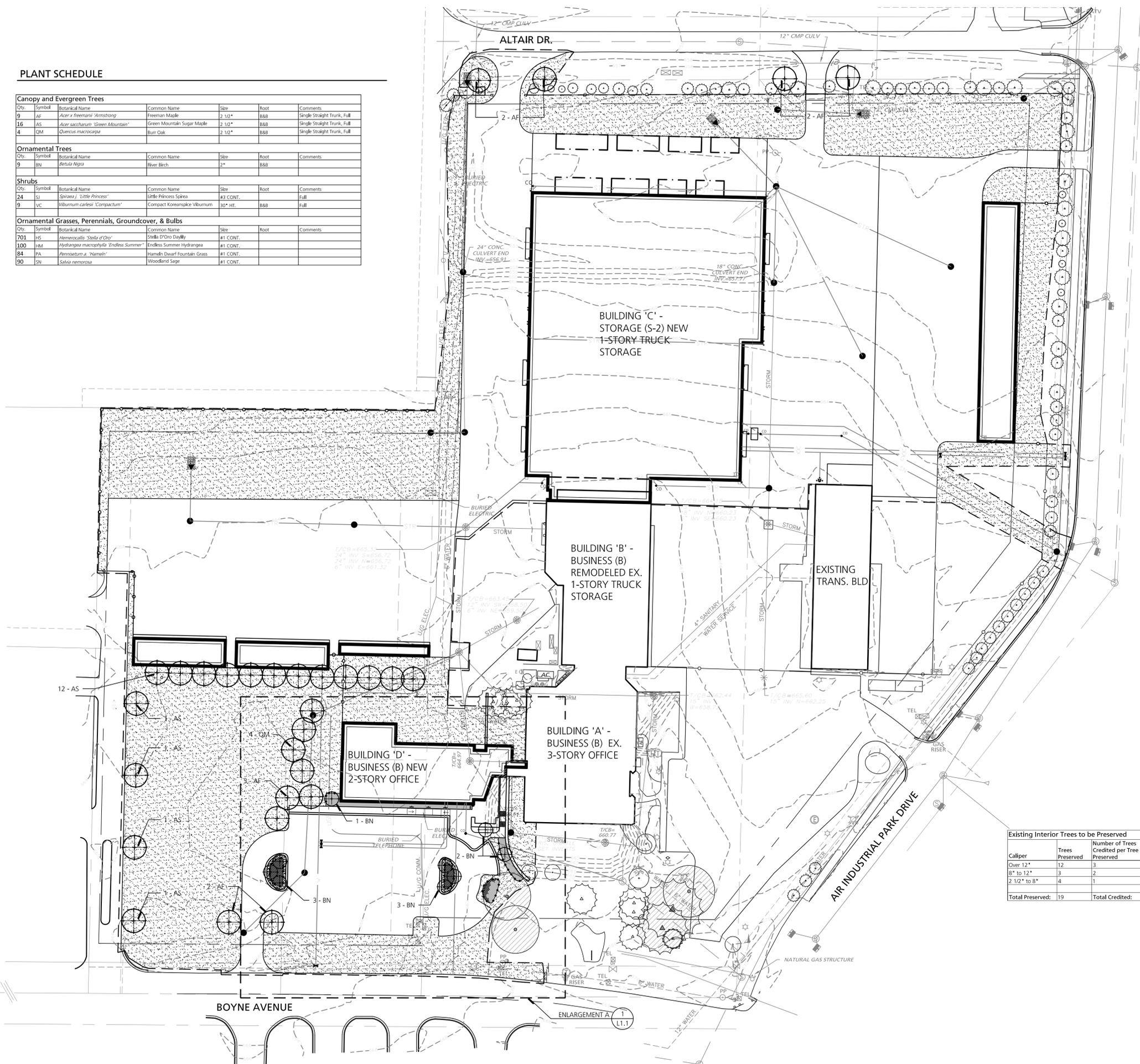
<p><u>M. Stormwater Management.</u> Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater which complements the natural drainage patterns and wetlands, prevent erosion and the formation of dust. Sharing of stormwater facilities with adjacent properties shall be encouraged. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water. All such measures shall comply with the Charlevoix County Stormwater Ordinance.</p>	<p>Site has on site storm water detention with connection to City system, drainage calculations of proposed retention provided.</p>	
<p><u>O. Lighting.</u> Exterior lighting shall be arranged so that it is directed preferably downward onto the subject site and deflected away from adjacent properties. Lighting shall not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.</p>	<p>Photometric plan to be submitted.</p>	
<p><u>P. Noise.</u> The site has been designed, buildings so arranged, and activities/equipment programmed to minimize the emission of noise, particularly for sites adjacent to residential districts.</p>	<p>Proposed use is not anticipated to create any noise exceeding what can be expected in the district.</p>	
<p><u>Q. Mechanical Equipment.</u> Mechanical equipment, both roof and ground mounted, shall be screened in accordance with the requirements of this Ordinance.</p>	<p>Exterior mechanical equipment not shown on plan.</p>	
<p><u>R. Signs.</u> The standards of the City of Boyne City's Sign Ordinance are met.</p>	<p>Sign permits to be required for all new signs</p>	
<p><u>S Hazardous Materials or Waste.</u> For businesses utilizing, storing or handling hazardous material such as automobile service and automobile repair stations, dry cleaning plants, metal plating industries, and other industrial uses, documentation of compliance with state and federal requirements shall be provided.</p>	<p>Facility must comply with all industrial waste disposal requirements</p>	

**DEVELOPMENT SITE PLAN REVIEW STANDARDS
FINDINGS OF FACT
GREAT LAKES ENERGY 1325 BOYNE AVE**

<p><u>T. Other Agency Reviews.</u> The applicant has provided documentation of compliance with other appropriate agency review standards, including, but not limited to, the Michigan Department of Natural Resources, Michigan Department of Environmental Quality, Michigan Department of Transportation, Charlevoix County Drain Commissioner, Northwest Michigan Community Health Agency, Charlevoix County Building Department, and other federal and state agencies, as applicable.</p>	<p>Plan reviewed by EDC/LDFA on July 13, 2020. All other required permits must be obtained.</p>	
<p><u>U. Approval Process.</u> The development plan shall be reviewed by the Planning Commission. If disapproval is recommended, the Planning Commission shall cite reasons for such disapproval. If the Planning Commission finds a development plan not in conformity with this section, it may, at its discretion, return the development plan to the applicant with a written statement of the modifications necessary to obtain approval. Upon resubmission of the modified development plan, the Planning Commission shall review the plan. The Commission may approve, disapprove or approve subject to compliance with such modifications and conditions as may be deemed necessary to carry out the purpose of this Ordinance and other ordinances and resolutions of the City. If disapproved, the Planning Commission shall cite reasons for such disapproval.</p>		

PLANT SCHEDULE

Qty.	Symbol	Botanical Name	Common Name	Size	Root	Comments
9	AF	<i>Acer x freemanii</i> 'Armstrong'	Freeman Maple	2 1/2"	B&B	Single Straight Trunk, Full
16	AS	<i>Acer saccharum</i> 'Green Mountain'	Green Mountain Sugar Maple	2 1/2"	B&B	Single Straight Trunk, Full
4	QM	<i>Quercus macrocarpa</i>	Burr Oak	2 1/2"	B&B	Single Straight Trunk, Full
Ornamental Trees						
Qty.	Symbol	Botanical Name	Common Name	Size	Root	Comments
9	BN	<i>Betula nigra</i>	River Birch	2"	B&B	
Shrubs						
Qty.	Symbol	Botanical Name	Common Name	Size	Root	Comments
24	SJ	<i>Spiraea J. 'Little Princess'</i>	Little Princess Spirea	#3 CONT.	Full	Full
9	VC	<i>Viburnum coccineum</i> 'Compactum'	Compact Koreanspice Viburnum	30" HT.	B&B	Full
Ornamental Grasses, Perennials, Groundcover, & Bulbs						
Qty.	Symbol	Botanical Name	Common Name	Size	Root	Comments
701	HS	<i>Hemerocallis 'Stella d'Oro'</i>	Stella D'Oro Daylily	#1 CONT.		
100	HM	<i>Hydrangea macrophylla 'Endless Summer'</i>	Endless Summer Hydrangea	#1 CONT.		
84	PA	<i>Pennisetum s. 'Hameln'</i>	Hameln Dwarf Fountain Grass	#1 CONT.		
90	SN	<i>Salvia nemorosa</i>	Woodland Sage	#1 CONT.		



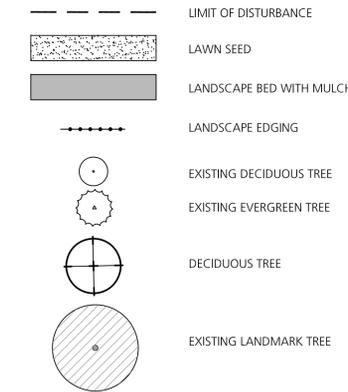
LANDSCAPE NOTES

1. TOPSOIL (4") AND SEED ALL DISTURBED TURF AREAS.
2. ALL IMPORTED TOPSOIL SHALL BE SCREENED AND BE APPROVED BY LANDSCAPE ARCHITECT/ENGINEER PRIOR TO INSTALLATION. PROVIDE CERTIFICATION FOR ALL IMPORTED TOPSOIL.
3. MULCH ALL LANDSCAPE BEDS PER SPECIFICATIONS.

IRRIGATION NOTES

1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INCLUDED FOR ALL AREAS WITHIN THE INDICATED LANDSCAPE LIMITS.

LANDSCAPE LEGEND



Landscape Ordinance Calculations

Category	Value
Boyne Ave Greenbelt Landscape	
Street frontage (LF)	691
Deciduous Trees Required (1 per 40 LF)	18
Existing Trees to be Preserved	-
Proposed Trees on Plan	-
Trees in Excess of Requirement	-
Shrubs Required (4 per 40 LF)	70
Proposed Shrubs on Plan	-
Air Industrial Park Drive Greenbelt Landscape	
Street frontage (LF)	1,060
Deciduous Trees Required (1 per 40 LF)	27
Existing Evergreen Trees to be Preserved	35
Proposed Deciduous Trees on Plan	-
Trees in Excess of Requirement	8
Shrubs Required (4 per 40 LF)	106
Proposed Shrubs on Plan (also provided ornamental grasses/perennials)	106
Altair Greenbelt Landscape	
Street frontage (LF)	677
Deciduous Trees Required (1 per 40 LF)	17
Existing Evergreen Trees to be Preserved	34
Proposed Trees on Plan	4
Trees in Excess of Requirement	21
Shrubs Required (4 per 40 LF)	68
Proposed Shrubs on Plan (also provided ornamental grasses/perennials)	-
Interior Landscape	
Total Lot Area (SF) (Excluding Boyne Ave ROW)	766,783
Landscape Required (10% of lot area) (SF)	76,678
Trees Required (1 per 400 SF landscape area)	192
Existing Interior Trees Preserved	46
Trees in Excess of Above Requirements	29
Proposed Trees	25
Shrubs Required (1 per 250 SF of landscape area)	307
Proposed Shrubs (also provided ornamental grasses/perennials)	33
Parking Lot Landscaping - Proposed Employee Lot	
Proposed Parking Spaces	75
Deciduous Trees Required (1 per 10 parking spaces)	8
Proposed Deciduous Trees	5
Ornamental Trees Required (1 per 10 parking spaces)	8
Proposed Ornamental Trees	9
Landscape Area Required (100 SF per 10 parking spaces)	750
Landscape Area Provided	1,075

Existing Interior Trees to be Preserved

Caliper	Trees Preserved	Number of Trees Credited per Tree Preserved	Total Trees Credited
Over 12"	12	3	36
8" to 12"	3	2	6
2 1/2" to 8"	4	1	4
Total Preserved:	19	Total Credited:	46

NOT FOR CONSTRUCTION

Beckett & Raeder
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 Planning, Engineering &
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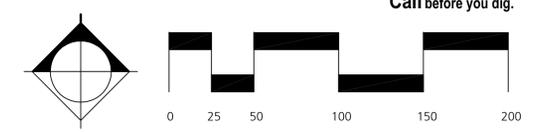
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JOB NO. 1924C
 GREAT LAKES ENERGY BOYNE CITY, MI
 LANDSCAPE PLAN
 DRAWN BY: CHECK BY:

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SHEET NO. L1.0



PLOT DATE: 7/6/20

