



319 N. Lake Street

Boyne City, Michigan 49712
www.boynecity.com

City of Boyne City
Founded 1856

Phone 231-582-6597
Fax 231-582-6506

AGENDA

BOYNE CITY PLANNING COMMISSION

Monday, August 19, 2013, 5:00 p.m.

Boyne City Hall



Scan QR code or go to
www.cityofboynecity.com
click on Boards & Commissions for complete
agenda packets & minutes for each board

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 July 15, 2013 Boyne City Planning Commission meetings.

4. Hearing Citizens Present (*Non-Agenda Items*)
5. Reports of Officers, Boards, Standing Committees
6. Unfinished Business
7. New Business
 - A. Leon Dyer Alley Vacation Request
 - B. Pre-application review of proposed addition to The Harborage maintenance building
8. Staff Report
9. Good of the Order
10. Adjournment – Next Meeting, September 16, 2013

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

An Equal Opportunity Provider and Employer

Hometown Feel, Small Town Appeal

**Meeting of
July 15, 2013**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, July 15, 2013 at 5:00 pm.

Call to Order

Chair MacKenzie called the meeting to order at 5:03 p.m.

Roll Call

Present: Gretchen Crum, George Ellwanger, Chris Frasz, Jim Kozlowski, Jane MacKenzie, Lori Meeder, Tom Neidhamer, Aaron Place, and Joe St. Dennis
Absent: None

Meeting Attendance

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

Consent Agenda

2013-07-15-3
Crum moved, Neidhamer seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda. Approval of the May 20, 2013 Planning Commission minutes as presented.

**Comments on
Non-Agenda Items**

None

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

None

Unfinished Business

None

**New Business
Review of SOBO
re-development plan**

Planning Director McPherson began the discussion with a review of the purpose of the project. Utilizing grant opportunities from the MEDC, several students from the University of Michigan Urban Land Institute, under the guidance of Peter Allen approached the city with an outside prospective of where the city could be enhanced. They were given several options to look at, such as Lake Front Square, public parking on Ray Street, the theatre, Fotchman Parking lot and Dilworth Hotel. They spent time in the city, and came up with several potential proposals along with an economic analysis that was presented to the City Commission. They focused on the SOBO District, and came up with options of lower level retail/restaurants/offices/ kiosk shops with rental or permanent housing on the upper levels. The proposed plan also called for a public parking structure on a current parking lot on Ray St, along with a boutique hotel, additional retail, and pedestrian bridge over the river on the Fotchman parking lot. The students were able to spend some time talking to some of the adjacent property owners in the area, who were excited about the prospects. As a part of the re-development ready program, you have to be able to identify a re-development plan, and this could probably be incorporated as a part of that plan, or will be that aspect of the plan. If we obtain certification, the MEDC will help market (3) different sites, and these could be picked. The planning commission liked the submitted presentation, and is excited about some of the listed ideas. For now, the plan has been received and will be filed for later consideration.

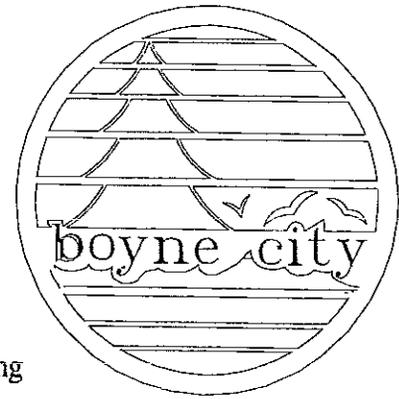
CITY OF BOYNE CITY

To: Chair Jane MacKenzie and fellow Planning Commissioners

From: Scott McPherson, Planning Director

Date: August 19, 2013

Subject: Pre-application meeting for Maintenance Building Addition request for The Harborage



Kevin Lavin representing the Harborage Condominium Association has requested a pre-application meeting with the Planning Commission to review the possibility of construction a new building or adding on to the existing building located on the Association property at the corner of Division and Second Streets.

In 1995 approval from the City was obtained for the relocation of 40' x 70' maintenance building from its location on Second Street to be used for the storage of maintenance equipment owned and used by the association for maintenance and upkeep of the association properties. At the time of the approval conditions were established that included no out door storage, landscaping and paving. The shortly after the site plan was approved for the a land reconfiguration was approved by the City that created the parcel as shown on the attached survey prepared by Ferguson and Chamberlain dated August 11, 1995.

In 2001 the Master Deed for the Harborage was amended to reconfigure the Maintenance Building parcel by acquiring approximately 3 acres of adjacent property. While the master deed amendment was recorded at the County no record was found of a review of the lot reconfiguration being completed by the City.

Since 2001 the building has served as the maintenance and storage facility for The Harborage and the property has been used to varying degrees for outdoor storage. While the storage is well screened with a berm and mature vegetation, formal approval for the use of the property for outdoor storage has not been requested or approved. The Planning Commission may also wish to review and determine if formal approval for use the property for outdoor storage could be considered.

As this is a pre-application meeting for the purposes of discussion only no action can be taken and no decisions can be made.

CERTIFICATE OF BOUNDARY SURVEY

SHEET NO. 1 OF 2

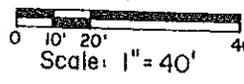
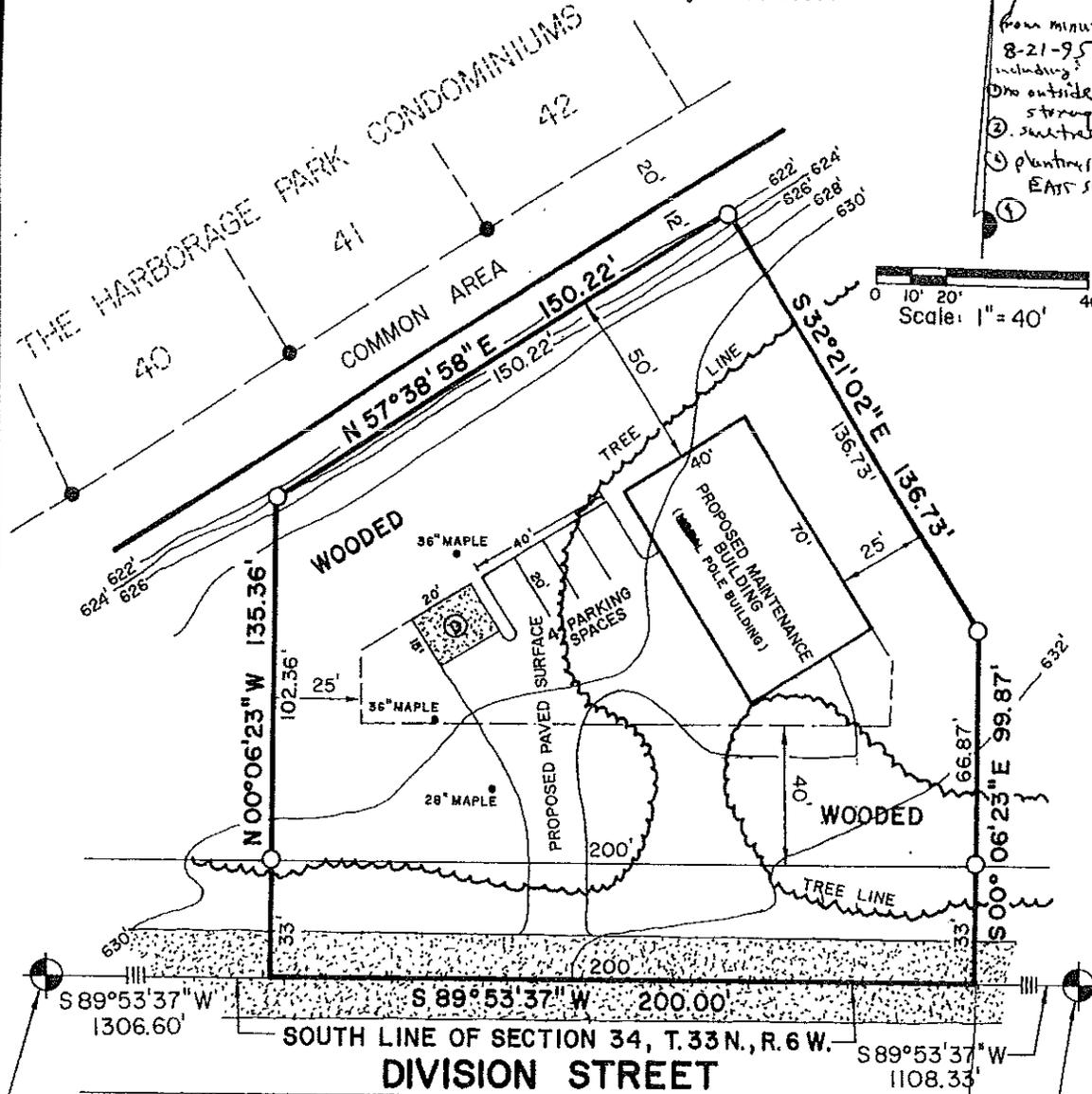
CERTIFIED TO: THE HARBORAGE CONDOMINIUM ASSOCIATION
500 Front Street
Boyer City, Michigan 49712

Topographical data is from an
Abrams Aerial Survey Company
map drafted in March, 1989 from
December, 1988 photos.

Elevations are N.G.V.D., 1929.

Sherman A. Chamberlain, Jr.
Professional Surveyor No. 25834

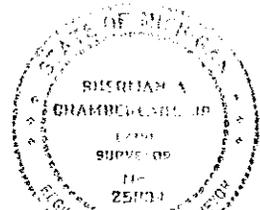
CITY
N
w/conditions
from minutes
8-21-95
including:
1. no outside
storage
2. structures
3. plantings
EAST SIDE
1



NORTH 1/4 CORNER
SECTION 3, T.32N., R.6W.
WITNESSES: (FOUND T-IRON)
S 48°E 46.74' CONC. MONUMENT
S 40°W 50.06' NAIL IN PWR. POLE*
N 50°W 44.78' " " "
N 46°E 39.50' 8\"/>

- LEGEND**
- * All dimensions are in feet.
 - * Bearings are in relationship to THE HARBORAGE condominiums recorded in Liber 306, Page 190, Charlevoix County records.
 - * "●" - Denotes 1/2" re-rods found set by Gosling & Czubak Associates
 - * "O" - Denotes 1/2" re-rods 22" in length with yellow plastic ID caps stamped "25834 & 24595"
 - * "D" - Denotes fenced in concrete pad for a dumpster.

SOUTHEAST CORNER OF
SECTION 34, T.33N., R.6W.
WITNESSES:



Handwritten signatures and dates:
P. Mastaglio 8-21-95
W.R. Fikberg 8-21-95
Harborage Condo Assoc

I HEREBY CERTIFY that I have surveyed and mapped the property hereon delineated and that the ratio of position closure of the unadjusted field data exceeds 1:5000; and that it complies with P.A. 132, 1970.

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
LICENSED LAND SURVEYORS

101 BRIDGE STREET, PINE RIVER BUILDING - CHARLEVOIX, MICHIGAN 49720
(616) 647-8882 - FAX (616) 647-0021
300 PARK AVENUE - PETOSKEY, MICHIGAN 49770
(616) 348-2003 - FAX (616) 347-8747

FIELD: G.S., R.R. STAKED: 8-16-95 DRAWN: S.A.C.
JOB: SB-11267c-95 DATE: 8-11-1995

the neighborhood. Not against a restaurant or the business, and would like to accommodate BC Pizza elsewhere. Mellon noted the property could be reasonably used as zoned. St. Dennis referenced the 14 conditions, noting there are too many issues against the change. The business district has a natural stop there.

**

Neidhamer moved, Mellon seconded a motion recommending the City Commission deny the request from Chris Nelson, owner of B.C. Pizza, to rezone property located at the southeast corner of Boyne Avenue and East Main Streets, Lot 1, Block B of Morgan's Addition to South Boyne, from R-2 (Medium Density Residential) to CBD (Central Business District) based upon the review of the 14 guidelines, 15.025 Section 2.50.

ROLL CALL

Aye: Kowalske, Kubesh, McLeod, Neidhamer, St. Dennis, Mellon, Wright.
Nay: None.
Abstain: Knurick.
Absent: Coyle.

MOTION CARRIED.

**FRONT STREET
HOTEL
COMPLEX**

Wright moved, Kowalske seconded, **PASSED UNANIMOUSLY**, a motion reaffirming to the City Administration that final zoning permits not be issued to Safe Lake I, allowing the project to proceed, until signatures from the owners of record are obtained on the site plan application.

**DIVISION
STREET
HARBORAGE
CONDOMINIUM
ASSOCIATION
STORAGE
BUILDING**

Site Plan Review for Harborage Condominium Association, 500 Front Street, for relocation and construction of a storage/maintenance building.

STAFF REPORT

The proposed new location for the storage building on Division Street is positioned so it is barely visible when driving down Division Street, and the building was positioned in a way to preserve the larger maple trees. A 40'x 70' building is proposed so the Association can eliminate all outside storage. The drive and parking will be paved, and the building sided. The site plan meets R-2 rather than PRD setbacks.

Representative from the Harborage Condominium Association, Roy Mastic, noted all storage in the building will support only the 108 Harborage Condominium units. The building has no connection with the Harborage Park or Harborage Shores developments.

Knurick is concerned this piece of land and building could change uses, i.e. boat storage, etc. Arner advised the land will be owned by the Association. He suggested if approving the site plan the board's motion should include a recommendation that City Administration proceed with the City Ordinance lot reconfiguration procedures.

Citizens asked Mastic to reaffirm that all items will be stored indoors. Mastic stated the intent of making this large of a building was in order to store all materials inside. There will also be two dumpsters immediately, and possibly three in the future. It was advised the Association secure or lock the dumpsters. Additionally, the Association will haul compost to the City compost site.

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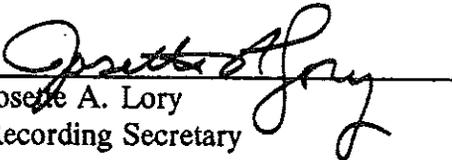
Wright moved, McLeod seconded, PASSED UNANIMOUSLY, to approve the site plan for the Harborage Condominium Association maintenance building with the following conditions: 1) Trees described on plan be retained, and maintain a maximum distance from driveway to trees shown on plan; 2) No outside storage allowed on this site; 3) Dumpster will be screened as shown, and secured so as to not be used by the general public; 4) Should City Commission and staff feel it necessary, the Association will comply with the Boyne City Ordinance Lot Reconfiguration procedure; 5) Provide some type of evergreen planting on the east and north east sides (behind the building).

NEXT MEETING

The next regular meeting of the Planning Commission is scheduled for 18 September 1995.

ADJOURNMENT

Knurick moved, Wright seconded a motion to adjourn the 21 August 1995 Planning Commission meeting at 7:48 P.M.


Joseph A. Lory
Recording Secretary

WRF/jl:\boards\planning\1995.min\aug

**WEEKLY
MEETING
SEPTEMBER 26,
1995**

RECORD OF THE PROCEEDINGS OF THE REGULAR WEEKLY CITY COMMISSION MEETING DULY CALLED AND HELD IN THE OFFICE OF THE CITY MANAGER ON TUESDAY, 26 SEPTEMBER 1995, AT 12:00 NOON.

CALL TO ORDER

Mayor Behling called the meeting to order at 12:00 noon followed by the Pledge of Allegiance.

ROLL CALL

Present: Mayor Thelma Behling, Pro-Tem William Grimm, Commissioners Victor Ruggles and Sandra Stanley.

Absent: Commissioner Eleanor Stackus and City Manager W. Randolph Frykberg.

Staff Present: Assistant City Manager Sue Hobbs, City Treasurer Cynthia Grice, Mike Banfield, Butch Erber, Dennis Jason, Josette Lory, and Gene Mont.

**MEETING
ATTENDANCE**

There were five people attending the meeting.

The Commission held a moment of silence in memory of Harvey Varnum.

**DIVISION
STREET
HARBORAGE
CONDOMINIUM
ASSOCIATION
STORAGE
BUILDING LOT
SPLIT**

Consideration of a request from the Harborage Condominium Association to reconfigure a portion of the PRD (Planned Residential Development) zoned property, off Division Street across from Leroy, to allow construction of the previously approved maintenance building for the Association. The reconfiguration is for land use as presented at the 21 August 1995 Planning Commission site plan review, and has been recommended for approval by the Planning Commission.

Mayor Behling opened the public hearing at 12:03 P.M.

No public comment.

Close public hearing 12:05 P.M.

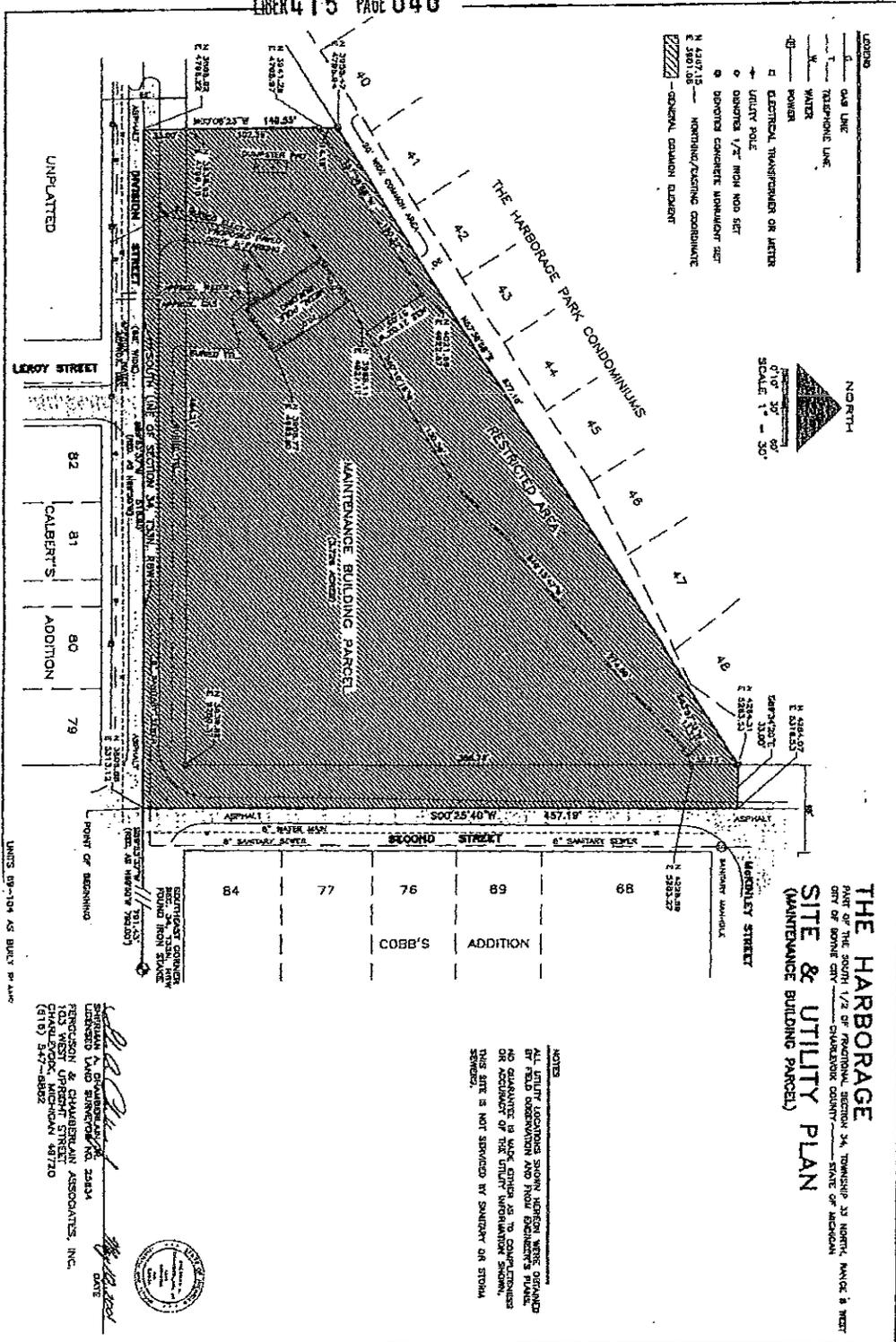
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Stanley moved, Ruggles seconded, **PASSED UNANIMOUSLY**, to approve the Harborage Condominium Association's request to reconfigure a portion of the PRD (Planned Residential Development) zoned property, off Division Street across from Leroy, to allow construction of the previously approved maintenance building for the Association.

**HALL OF
SCARECROWS
CONTEST**

Announcing the *Hall of Scarecrows* contest as part of the 1995 fall Harvest Festival, sponsored by the Boyne City Chamber of Commerce. Prizes will be awarded to contestants with the most imaginative scarecrows strung along the lampposts of Downtown Boyne City.

Chamber Director Debbie Thompson announced this year's Harvest Festival is October 6 through 8, and distributed a list of weekend activities.



THE HARBORAGE
 PART OF THE SOUTH 1/2 SECTION 24, TOWNSHIP 23 NORTH, RANGE 8 WEST,
 COUNTY OF SHERBORN, STATE OF MICHIGAN
SITE & UTILITY PLAN
 (MAINTENANCE BUILDING PARCEL)

NOTES
 ALL UTILITY LOCATIONS SHOWN HEREON WERE OBTAINED BY FIELD OBSERVATION AND FROM ENGINEER'S PLANS. NO GUARANTEE IS MADE EITHER AS TO COMPLETENESS OR ACCURACY OF THE UTILITY INFORMATION SHOWN. THIS SITE IS NOT SERVICED BY SHERBORN OR STORM SERVICES.

[Signature]
 DATE _____
 ENGINEER
 1500 WEST JEFFERSON STREET
 CHARLEVOIX, MICHIGAN 49720
 (616) 547-8882



UNITS: 89-104 AS BUILT BY LAW



McKinley

Seena

Forest Park

Subject Parcel

Division

Lake Park

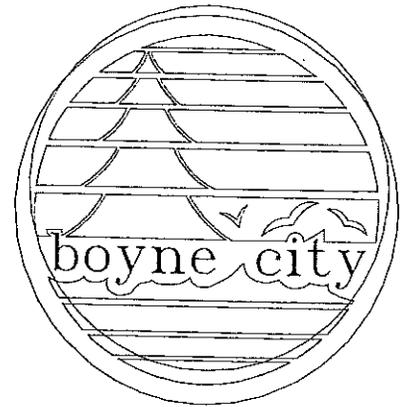
CITY OF BOYNE CITY

To: Chair Jane MacKenzie and fellow Planning Commissioners

From: Scott McPherson, Planning Director

Date: August 19, 2013

Subject: Application for alley vacation



Background

An application for the vacation of a public way has been submitted by Leon Dyer 530 Lewis Street with a petition from four other property owners. They are requesting the alley located between Franklin Street and Division, west of Lewis Street be vacated. The alley is 16.5 wide and 450 feet in length and runs between lots 28, 30, 32 34, 35, 36, 37 and 50, 51, 52, 53, 41, 40, 40, 39, 38 of C.G. Lewis Addition.

Process

Before an alley can be vacated by the City Commission a recommendation on the proposed vacation request from the Planning Commission is required.

Action

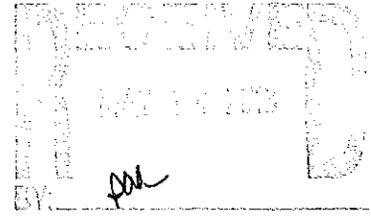
Review the proposed request and make a recommendation to the City Commission



City of Boyne City

319 North Lake Street (231) 582-0337
Boyne City, Michigan 49712-1188
www.boynecity.com

Public Way Vacation Application
Ordinance No. A-42 attached



➡ **Applicant Name:** Leon Dyer

Street Address: 530 LEWIS ST.

City: Boyne City **State:** MI **Zip-Code:** 49712

Phone Number (s): 231-582-6372 **E-mail:** leondyer54@yahoo.com

Description of Public Way Proposed to be Vacated:

Vacating the service alley on the west side of Lewis Street
which ~~connects~~ goes from Devoan Street to Franklin St.

Does the Public Way or part thereof abut any body of water? If so please describe:

NO

Will the vacation result in any parcel of land being denied direct access?

NO

I/we understand and agree, upon execution and submission of this application, that I/we agree to abide by all provisions of the City of Boyne City Zoning Ordinance as well as all procedures and policies of the City of Boyne City Planning Commission as those provisions, procedures, and policies relate to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that a filing fee is due with this application.

Leon Dyer
Applicant (Printed Name)

Leon Dyer
Signature

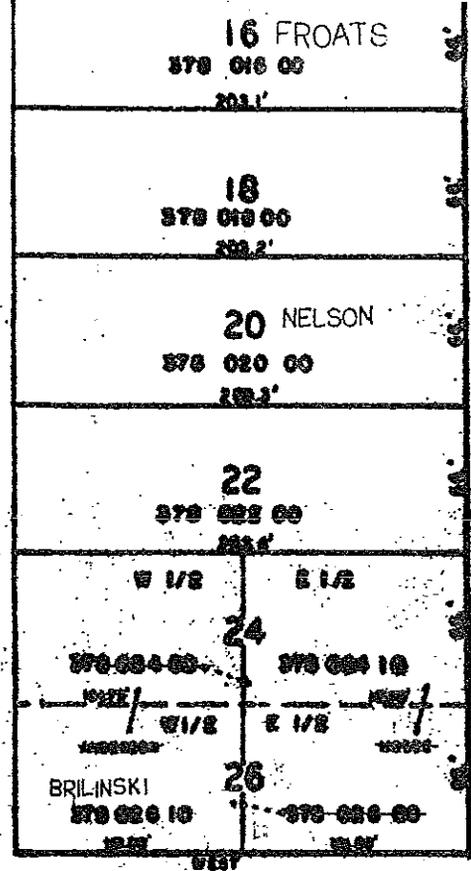
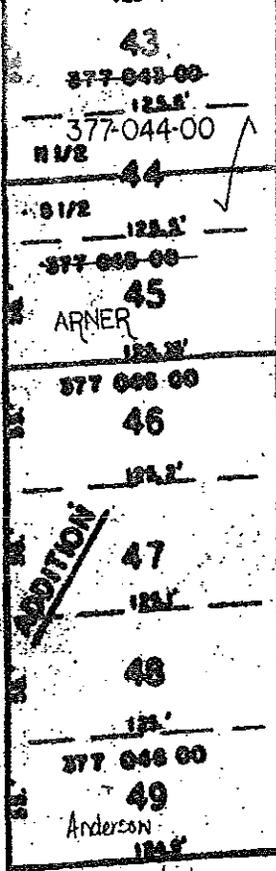
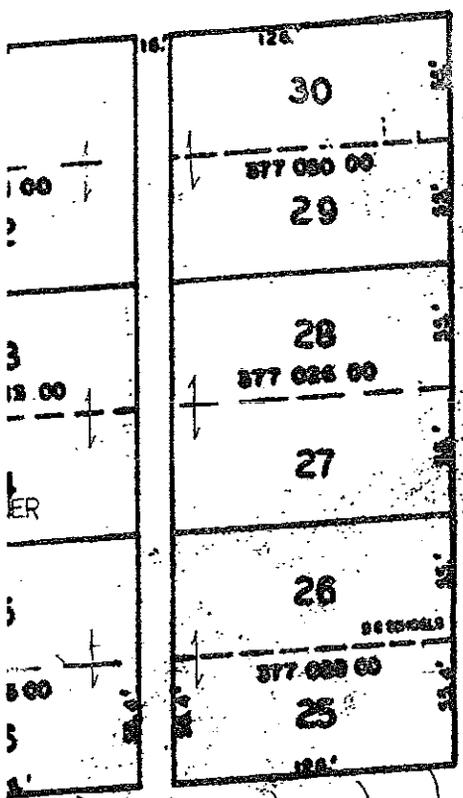
14 May 2013
Date

This is to certify the required \$500 filing fee was received on _____ and documented
with Receipt Number _____. This application is scheduled for public hearing on _____

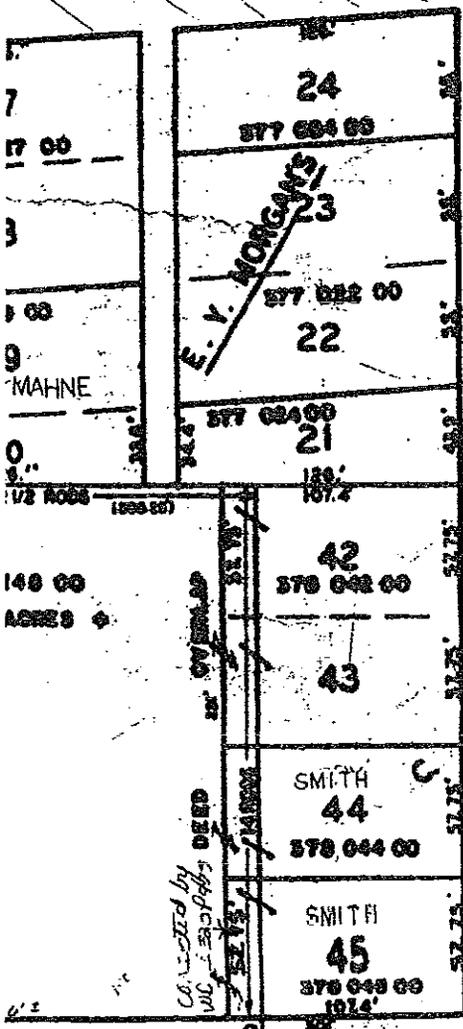
Staff Initials _____ **Original Documents only**

GAN

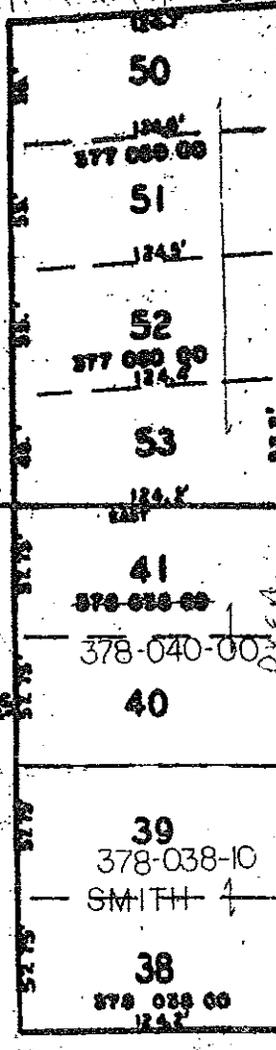
ST.



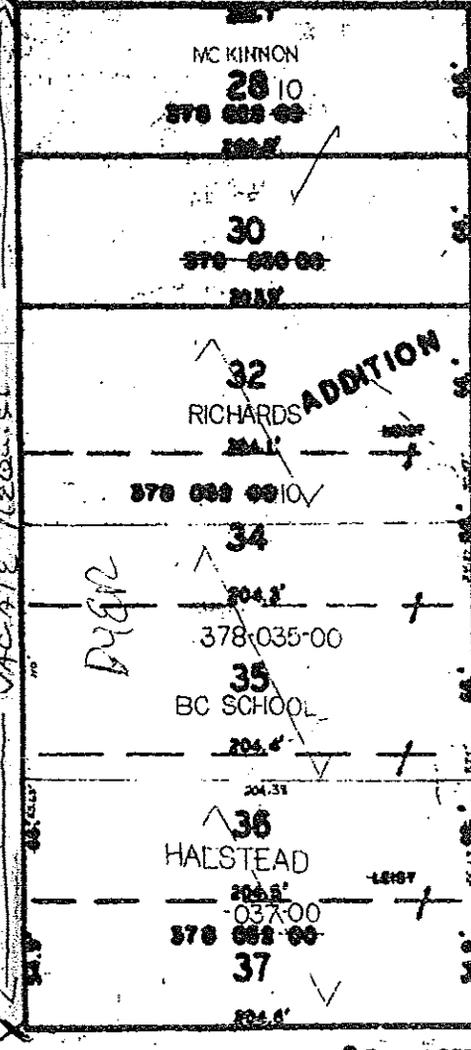
FRANKLIN



ALICE



G. LEWIS



LEWIS

Controlled by DEED W.C. 33-57-85

VACATE (2005-5-1)

Dyer



Alley Requested to be Vacated

Franklin

Division

Kuhn

Alley

LEWIS