

**Meeting of
April 18, 2016**

Record of the proceedings of the Boyne City Planning Commission regular meeting held at Boyne City Hall, 364 North Lake Street, on Monday, April 18, 2016 at 5:00 pm.

Call to Order

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

Roll Call

Present: Ken Allen, Jason Biskner, George Ellwanger, Chris Frasz, Jane MacKenzie, Tom Neidhamer, and Joe St. Dennis
Absent: Jim Kozlowski and Aaron Place

Excused Absence(s)

****MOTION**

2016-04-18-02

St. Dennis moved, Ellwanger seconded, PASSED UNANIMOUSLY, a motion to excuse the absence(s) of Jim Kozlowski and Aaron Place

Meeting Attendance

City Officials/Staff: Planning and Zoning Administrator Scott McPherson, City Commissioner Hugh Conklin, Main Street Manager Lori Meeder and Recording Secretary Pat Haver
Public Present: Nine

Consent Agenda

****MOTION**

2016-04-18-03

Ellwanger moved, Biskner seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda; approval of the Planning Commission minutes from February 15, 2016 as presented.

**Citizen comments on
Non-Agenda Items**

Hugh Conklin invited everyone to attend an informational meeting about the formation of a "Friends of Avalanche" group that is scheduled for Monday, April 25th at 6:00 pm at the Boyne District Library. The City Commission gave approval for the Top of Michigan Mountain Bike Association (TOMMBA) to build several miles of new trails in the park. Rick Deuell, a local resource and planning consultant, developed a management plan for Avalanche and will attend the meeting to review his report and answer any questions.

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

At your place are the finished copies of the Boyne On The Water plan, to be used as a reference for development along the waterfront. The board asked staff to include this as a topic for discussion at a later meeting.

Unfinished Business

None

New Business

**Development Plan Review
970 E. Division for VanDam
Marine**

Planning Director McPherson reviewed the staff report that was included in the agenda packet. VanDam Marine is requesting review for the addition of an 80' x 150' building for the proposed use to provide additional storage for the business. The proposed structure will match the size, character and color of the existing adjacent storage buildings on the site and will be used in a similar manner. The property is in the RC/IND zoning district and is approximately 11 acres in size. Steve VanDam along with Charlie Harrett general manager for Boyne Boat Yard and building contractor, Bart Wangeman, were on hand to answer any questions. The intention is to use the building for boat storage, there is no lighting or additional signage proposed.

****MOTION**

At this point, the board held discussions and went through the Findings of Facts Section 19.40 Development Plan Approval Criteria; and with no further additions, **motion by Ellwanger, seconded by Neidhamer**, to adopt the Findings of Facts and approve the site plan as provided from VanDam Marine.

2016-4-18-7A

Roll Call:

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

Nay: None

Absent: Kozlowski and Place

Motion Carries

Review Sidewalk Café Ordinance and make recommendation to City Commission on ordinance amendment to allow alcohol service

Planning Director McPherson reviewed the staff report that was included in the agenda packet. At one of the City Commission meetings in March a group of citizens and business owners requested that the Commission reconsider their position on allowing alcohol service in sidewalk cafes. At their April 12th meeting the Commission passed a motion to begin the process of having the Planning Commission review the ordinance and make a recommendation for possible changes. In 2013, the City Commission did adopt the current Outdoor Sidewalk Café Ordinance, however, eliminated alcohol service.

Public comment: **Justin Gibbert, General Manager with Red Mesa Grill** - We are very much in favor of having the Commission revisit this topic. We would like to see what we can do to help move this along.

Sarah Niederpruem, manager with Café Sante - We've had tables for outside dining the past couple of years, and the dining experience has been positive for not only our customers but us. The ability to serve alcohol will only enhance the experience for those diners that choose to have a drink and enjoy the water views. We have six tables outside with a separate server for them.

Mike Doumanian, Boyne Mountain - People want to enjoy the experience and unique atmosphere of outdoor dining, it is yet another thing that will bring them to your downtown. It will not create a bad atmosphere; it will create a good one.

Jim Baumann, Boyne Area Chamber Director - The chamber recently completed a survey to get feedback on outdoor dining allowing alcohol, and 76% of the respondents were in favor of allowing it. Back in 2013, this board and the Chamber Board unanimously passed the recommendation to the City Commission allowing alcohol service on the sidewalk and the Main Street Board passed the recommendation 8 to 1. We urge you to consider approval again tonight; we want it to be busy downtown on Friday nights and every night.

Steve VanDam, local business owner - I personally don't see anything negative; and like the opportunity to dine outside with various clients that we bring in. Encourage you to approve this recommendation to move forward.

Lori Meeder, Main Street Manager - An important step in allowing alcohol service is the excitement and vibe that it will create. All of the entities who hold liquor licenses are going to be very careful because they are not going to want to jeopardize their licenses. We are a community that tries things and keeps an open mind, we really need to give this a try, and can revisit it if it is not working.

Board Discussion

Ellwanger - I am very much in favor of recommending this, I understand the City Commission has concerns, but let's address them and put them at ease. We want congestion downtown, it is a good thing.

St. Dennis – I have a problem with only a 4 ft walkway. If you have tables up against the building, you have the potential of people stepping off of the curb and could possibly get hurt.

Neidhamer – I am in favor of allowing alcohol service on the sidewalk. In my opinion I don't think we have to make a rule/law for the width of the sidewalk or placement of the tables, everyone needs to work together with any congestion; stop speak with each other and allow them to go first.

Frasz – I am also in favor, I hope it goes through, it is progressive, would like to look at curbside dining and pedestrian flow near the buildings so they can continue to window shop. I would like to discuss the position of the tables.

Allen – I agree with curbside dining

Biskner - I agree with what has been said with curbside service, it is a great idea and will bring in additional revenue.

MacKenzie – To not allow on Stroll the Streets or the 4th of July, that is only 10 nights out of an entire summer, we are very fortunate and other communities envy us.

Neidhamer – Trust the professionals to put seating at the best location for their businesses, really don't want to regulate that.

Frasz – I think we need to regulate that for safety and consistence for the other businesses

McPherson – Each sidewalk café needs an annual permit and must provide a plan on how they are going to set up, will give you the flexibility, with a case by case basis to look at locations. I would recommend against establishing a location criteria for everyone to follow.

Frasz - What about extra signage with logos on the umbrellas? The sign ordinance will cover this.

****MOTION**

After board discussion it was determined the current definition would need to be amended to allow alcohol service and they would also propose adding 54.171(i).

Motion by Neidhamer, seconded by Ellwanger to recommend to the City Commission the amendments to Article VI Outdoor Sidewalk Cafés with a change in the definition: Outdoor Sidewalk Café – A type of outdoor café consisting of a service area set aside for the customers of a restaurant, *bar* or similar establishment to be served food and/or drink ~~with the exception of alcoholic beverages~~, on a public sidewalk or other public property other than a public parking space. And to include the addition of 54.171 (i) *"If alcohol is to be served in conjunction with the proposed Outdoor Sidewalk Café, delineation of the service area with a physical barrier in conformance with the design criteria of the City and acceptable to the state liquor control commission must be utilized."*

2016-4-18-7B

Roll Call:

Aye: Allen, Biskner, Ellwanger, Frasz, MacKenzie, and Neidhamer

Nay: St. Dennis

Absent: Kozlowski and Place

Motion Carries

Staff Report

Welcome to our temporary city facilities. It is anticipated that we will be here for the next 16 to 18 months. There will be a ground breaking ceremony at the old city hall facilities at 3:30 pm on Thursday, April 21st.

Good of the Order

None

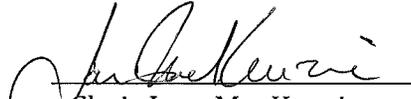
Adjournment

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, May 16, 2016 at 5:00 pm in the Commission Chambers.

2016-04-18-10

****MOTION**

St. Dennis moved, Ellwanger seconded, PASSED UNANIMOUSLY a motion to adjourn the April 18, 2016 meeting at 6:38 p.m.


Chair Jane MacKenzie


Pat Haver, Recording Secretary