

**Meeting of
April 15, 2019**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday April 15, 2019 at 5:00 pm.

Call to Order

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

Roll Call

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

Excused Absences

****Motion**

2019-4-15-02

St Dennis moved, Allen seconded, PASSED UNANIMOUSLY, a motion to excuse the absence of Kozlowski

Meeting Attendance

City Officials/Staff: Planning and Zoning Administrator Scott McPherson, City Manager Michael Cain, Main Street Director Kelsie King-Duff, Commissioners Hugh Conklin and Ron Grunch and Recording Secretary Pat Haver
Public Present: Fifty One

Consent Agenda

****Motion**

2019-4-15-03

Allen moved, Ellwanger seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda, the Planning Commission minutes from March 18, 2019 as presented.

**Citizen comments on
Non-Agenda Items**

Lesley Pritchard: 361 Wildwood Ridge Walloon Lake – Passed a handout to the Commissioners (received and filed) and read comments from it. She is requesting that the Planning Commission pass a motion to repeal the recent height/story amendment and make a recommendation to the City Commission to do the same.

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

None

Unfinished Business

**Alley Vacation Request
from Richard Wright**

Richard Wright 920 Edmunds St. applicant – The request is to vacate 198' portion of the alley between Edmund and Division St.; 132' west of Hull St. This alley is undeveloped and is not maintained by the city, there are no city utilities located in the area, and a 66' westerly portion of the alley along with Houghtlin street had previously been vacated. Neighboring property owners to the request did sign a petition in favor of the closure.

McPherson – Also reviewed the request and indicated that there were no plans or future need from the city for any infrastructure to access this portion of the alleyway.

St. Dennis – Will this make any of the adjacent properties landlocked?

McPherson – No

Neidhamer – Why is only a portion being closed and not the entire length?

McPherson – The landowner on the corner of Hull and Edmund St. does not desire to have that portion closed, and historically, other alleys in the city have partially been closed; as a portion of this one was previously; so it is not unusual to have a partial request.

****Motion**

With no further board discussion **motion by Ross, seconded by Ellwanger** to recommend to the City Commission, closure of the alley as presented; 198' in length, between Edmund and Division Street beginning 132' west of Hull St.

Roll Call:
2019-4-15 6A
Ayes: Allen, Biskner, Ellwanger, Neidhamer, Place, Ross and St. Dennis
Nays: None
Absent: Kozlowski
Abstain: None
Vacancy: One
Motion Carries

**Recommendation for
Planning Commission
Appointment**

Planning Director McPherson reviewed his staff report included in the agenda packet. There is a vacancy on this commission with a term ending May 31, 2021. There were 4 submitted applications for the position, and all of them were invited to the meeting to meet and speak with the board. Each applicant was given an opportunity to introduce themselves, and to give a history of their background, the reasons they wish to serve and other community or civic service activities. Three applicants were in attendance, Adam Graef, Skylar MacNaughton, and Rose Newton all spoke to the board. After a question and answer session, a straw vote was taken with a **motion by Ross, seconded by Biskner, PASSED UNANIMOUSLY** to recommend Skylar MacNaughton and Rose Newton as possible candidates to the City Commission for their final decision and appointment.

****Motion**

New Business

**Preliminary Review
Boyne City Surgery
Center**

Planning Director McPherson reviewed his report included in the agenda packet. The surgical center is proposing a 7,200 sq ft outpatient facility located on lot #16 in the Business Park, on Moll Dr. north of M-75 across from Classic Instruments, they are here tonight for preliminary review and discussion

Darren Graham, Project Manager: Gosling Czubak Engineering - Current zoning is PID (Planned Industrial District) in Phase II of the park. The plan will be for minor, same day surgical procedures with no overnight stays. Parking requirements are 54 spaces based on the square footage of the building. During final site plan review we will submit landscaping, lighting, storm water, utilities. Our plan is to attend the EDC/LDFA meeting on May 15th for their comment and review.

Public Comment opened at 5:39 pm

Michelle Cortright: 1825 Wildwood Harbor Rd. – How many jobs are proposed?

Scott MacKenzie: 847 W. Division St. – With the amount of traffic anticipated for daily use, 54 parking spaces are indicated, why are there so many?

Penny Hardy: 437 North St. – What practice will manage the facility? **Place** – that is not a zoning question for us to answer.

Adam Graef: 1296 Marshall Rd. - I also would like to know why so many parking spaces are required for a medical building.

Monica Ross: 109 E. Michigan Ave. – Is this an accepted use for the current zoning in the Industrial Park, or do they need a change in zoning to complete their project?

McPherson – Back in 2010 the Planning Commission and City Commission recognized that the Industrial Park is not a viable option just for industrial uses any longer, so they moved towards a Business Park with an ordinance amendment done at that time, it brought in a wide variety of uses that are non-industrial to the park.

Michael Cain: Boyne City City Manager and member of the EDC/LDFA – These plans will be going before the EDC/LDFA board prior to your next meeting. I have shared the plans with them, and they are very excited about the new business venture. One of the concerns they have is the parking along M75, as it is an entrance into the community, they would like to see the parking moved behind the building with green space along the M75 corridor.

With no further comments, public comment closed at 5:44 pm

Board Discussion

Place – It is exciting to hear about opportunities coming to Boyne, can you give us an idea on how many people will be involved daily? **Graham** – Really don't have an answer but, believe 10 to 20 people will be staff, nurses and doctors, with patients daily.

Allen – Did you look at other locations other than Boyne when you decided to build and did you look at the parking requirements in other cities?

Graham – I represent the owner, and did not come on board until after they decided to purchase the property.

Place – One of the items brought up was landscaping, screening and the parking. Will landscaping be brought forward in the final plan? **Graham** – Yes

Ross – Is there a glazing requirement on the windows? **McPherson** – No specific glazing requirements for the Industrial District

Ellwanger – This is a real asset to the community.

St. Dennis – I also feel that there is too much asphalt for the estimated daily use

Place – We have already talked about reviewing the parking requirements in the ordinance for all districts.

Biskner - Can you move the building forward and put parking behind?

Graham – It would be difficult, as the corner in the back of the building has a drop off on the site.

With no further comments from the board, the applicants will come back with a final site plan for development plan review, next month

Preliminary review 100 N. Lake Street

Planning Director McPherson reviewed his staff report in the agenda packet, and reiterated that this is a revised site plan for the Lofts of Lake Street, no decisions on this plan can be made tonight, the object is to get input and feedback from the board on these plans, this is a proposed mixed use in the CBD which is a principal permitted use; so is a use by right, you do not have any discretion in regards to the use; specifically issues that deal with that use, such as rents, tax implications, financial viability of plan, whether you think it is a good use or bad use, whether it is an appropriate spot for this use or not. You are charged with looking at the development plan and physical attributes of the site and building and how they relate to the zoning ordinance standards.

Marilyn Crowley: Michigan Community Capital - Thank you for giving us an opportunity to return after we gathered feedback, and hope that you see that we really listened and tried to make changes according to your suggestions. We really tried to make this an asset that the community can be proud of. Tonight we are specifically looking for solid feedback to see if this will be a viable project and get an understanding of what the next steps will be.

Mike Corby: Integrated Architecture - We have been working with comments received from our last meeting, have met with the Main Street design committee and have taken in all of the comments about the size and mass of the building, lack of parking, façade designs and made changes based on those. We have removed one floor, extended the building to the east, decreased the number of units, and increased the available parking on site, changed up the facades using varying roof lines, proposing change up of various material and window patterns, along with different cornice work. We are exploring on street parking on both Lake and State Streets which will allow us to get an additional 13 spaces that will be public. We have met with the Main Street Design committee and they have given us an ok to pursue the possibility.

Public Comment opened at 5:58 pm

Skylar MacNaughton: 112 W. Morgan St. – I do like the new look, but have concerns if this is right thing for Boyne and if the store fronts will be filled. Are there any plans to put in a street light at the intersection?

Jack Henricks: 2375 Pine Boulevard – experienced in construction management with Dow Chemical and have done a lot of site work, so giving you my perspective. I have looked at the plans and have concerns with the foot print and building site intensity, site surface is about 95% impervious so will need site surface retention area. The waste handling will be excessive on the current system, there is zero setback on the south side, and there is only one entrance into the parking area, so snow clearing will be tough in the winter time on Lake Street.

Floyd Wright: Lakeshore Rd. – I give you compliments on the design, I would be proud to drive by this each day; however, I am against giving any relief for residential parking, snow removal is a huge issue, where will snow piles be stocked, storm water retention is also an issue.

Ward Collins: 1209 Wildwood Heights Rd. – You did a great job listening to the community's comments from the last meeting. The greatest advantage is that it will get rid of one of the biggest eye sores in the community and downtown area. I feel that it is a very appropriate use. As far as parking is concerned, our recent parking study that was done last year concludes that we have excess spots in the downtown area.

Rose Newton: 214 State St. –The zero setback has not changed, but there is now on street parking, is the city going to put it in as it will be within the right of way? Who will ultimately control those spaces, how do you keep them open for public and not for private residential use? If you continue to give concessions for developers what about the other business owners.

Barbara Malpass Young: 1003 Hull St. – 61 parking spots for 42 apartments don't add up, and then with retail or restaurant there is not enough. How is the school bus going to pick up the kids, how are emergency vehicles and trash collectors going to gain access. I also feel that storm water is a concern. We can't fill the stores in town now, how are these going to be filled? I do not want to see empty store fronts and apartment or condos like Charlevoix. I do appreciate that the developer came back after listening to our concerns.

Steve Roote: 214 State St. & 302 State St. - with the new development, how many spaces are required now? If they are going to head up State Street, what will stop them from heading into Veterans Park? How many spaces will go up State St?

Lesley Pritchard: 361 Wildwood Heights Trail Walloon Lake - I'm glad that the facades have changed. I still have an issue with parking, your numbers don't add up, I feel they are incorrect as 1.5 is a typical allotment for residential units. What about loading and delivery zones, where will they go? Where will the commercial spaces deliver? Emergency services, how are they going to get to the back side of the building? There are supposed to stairwells at the ends of each buildings, I don't see them here, landscaping is not adequate, for setbacks I'm not clear on what is required, are they being met? How can you consider a plan that I feel does not meet your current zoning?

Penny Hardy: 437 North St. – I also feel that the parking is inadequate, and am concerned about allowing parking on Lake Street due to snow removal and what will the time limit be to park? Veterans Park across the street draws a lot of people and cars into this area, will there be a stop light at the intersection? Where will the containment be for runoff

Steve Roote: 214 State St – What about a cross walk that is marked, or a street light for safety.

Elizabeth Looze: Snyder Rd. – I have been involved in Planning for several years and have seen many projects presented and then not come to completion in Petoskey. I fully support this project. The building as presented meets all of the zoning requirements, the developer has been very receptive to your suggestions and comments and made

changes at their expense. This company being a non-profit is willing to take on risk to see this development through.

Scott MacKenzie: 847 W. Division St. – Thank you for coming back with modifications to the design with improvements based on community input. One of our city's goals is to provide all levels of housing, this will not solve our problems, but it is a start. They dropped the design down to 3 floors and changed up the roof line at our suggestions. We have talked about being a walkable community, and this project will do that. It meets a vast majority of the zoning requirements, so ask that you consider this proposal and approve it.

Tony Cutler – Local Business Manager, and support staff to Senator Schmidt – We need to make this happen, as far as the statement made that the condos on One Water Street are still vacant, that is not true, they have all been sold. As everyone knows, it is difficult to find available affordable housing, so many of my staff can't or won't live here because of the lack of housing or outrageous cost. I believe this is a great project, they have the funding and are willing to take the risk, let them come and build.

Melissa Casper: 503 Spring St. – This project could create workforce housing, there are elderly or others who want to live in this type of building which is walkable to everything, have no maintenance upkeep and who do not want to own a vehicle, they would sell their homes which would then be available to purchase, so is a very valuable thing for turnover.

Pam Macksey: 01110 Jefferson St. – This developer has met with the Main Street Design Committee a couple of times, and we as a board support this project. There is no affordable housing in this area, and this will provide some of that. It will bring commerce to our area, as it fits zoning, I urge you to fully consider their application.

Adam Graef: 1296 Marshall Rd. – They listened to our comments, suggestions and complaints and came back with revised plans, tonight, they just want to know if it is a viable project for them to move forward, as a board you need to look at if it falls within the zoning ordinance, we, as a community need to work with them.

Bruce Janssen: 111 N. East St. – We gotta make this work, they listened to our concerns and comments. The Main Street Design Committee has met with the designer and we approved their plans with a couple of suggestions about window designs. This is a win/win for everyone. I am in favor of on street parking on Lake Street and State Street, I believe that parking is not an issue because of all of the surrounding public parking. Figure this out, it's your job.

Kelsie King-Duff: Main Street Executive Director – When developments are within the Main Street district, they are encouraged to meet with the design committee, which is one of the first steps in building a platform between them and our community; we provide recommendations to the Planning Commission with what was discussed and presented to us; they came back with updated designs from all of the suggestions made. The design committee has reviewed the plans and will make a recommendation to approve them with as proposed with a couple minor changes. They incorporated our citizen's suggestions from before, and the committee has a few to add, change up the designs for the windows, all lighting should be downward, consider landscaping around the entrance, consider burying the overhead power lines, work with the city on the under-utilized alley and come back for final materials and colors.

With no additional comments, Public comment was closed at 6:45 pm with answers to the audience questions.

In the CBD, no residential housing in allowed on the ground floor. Parking within the city right of way, you could control it with signage for 2 hour parking only. As far as people parking in the private lot, they could have people towed, put up signage, limit the time that deliveries, trash removal and snow removal were done so that areas would be available at those times. As far as the number of required parking spaces for

the development, until final plans are submitted, we do not have an exact required number of spaces. Emergency access and storm water concerns, will be addressed when the department heads review the plans, the drive through is 14' in height. Landscaping plans will also be reviewed when the final plans come before the board. Mike Corby also provided answers to the many questions. By law you must deal with storm water and run off properly. Under the drive through, there is parking that was not indicated on the plans, but the count of 85 spaces is accurate with the additional proposed street parking. We are very close to meeting the parking requirements with the mixed uses of the project. We meet all of the setback requirements, we want the west side (street side) landscaping to be as vibrant as possible, yet still leave the store fronts visible. By code, stairwells have been addressed and designed into the layout.

Marilyn Crowley – We have spent thousands of dollars revising the plans to make sure we met the concerns of the community. We have spent additional money as a deposit on the property. If parking is going to be a limiting factor, let us know now before we go to final full site plan review. We appreciate the feedback from the community, but need to know if there is has a possibility of moving forward before we finalize the plans.

Board Discussion

Appreciates that the development team listened to the comments and concerns of the citizens and this board; the revision they came back with is leaps and bounds above what was originally presented, they reduced the floor count to 3, they changed up the roof heights, using various materials to mix up the façade'. Without knowing for sure exactly what the commercial spaces will be, it is hard to determine the exact number of parking spaces needed for this mixed use development. The zoning ordinance does give the commissioners the discretion to waive or reduce the number of required spaces based on available public parking, it also allows for up to a 20% reduction for collective uses of the available parking spaces. With the parking study that was recently done, the public parking spaces in the area are only utilized approximately 20 to 25% of the time. It is the developers wish to anchor the retail/commercial space with a restaurant that will help draw to this location, other than that, unknown exactly what else will go in that space.

The board was satisfied with the changes that were presented, they meet the zoning ordinance in setback, height and landscape. It will bring vibrancy to the downtown area, will create jobs, addresses the lack of housing and beautify long stagnant properties. The perceived issue of lack of parking on site, can be handled with the available public parking in the area. The board felt that the on street parking was a good idea and believe that it would help the retail and commercial businesses.

Marilyn Crowley – We like the on street parking, we will fund it; it will be owned by the city to maintain and manage however the city wants to. It will help us with our project and further address parking.

The board indicated they would like to see the project move forward as proposed with the design and parking, and feel that no problem is insurmountable to overcome. The development team will be back next month with complete site plans.

Staff Report

Staff has reached out to Annika for a consultation proposal for an overview of the parking study, how to apply it within various projects. As an RRC Community the hopes is that it will be fully funded, staff has not heard anything back from our request as of yet. May need to schedule a special meeting to have this session, poll from the board is that a Tuesday night would work the best.

Good of the Order

- With more projects that have been before this board, and working as a team, it puts stress on applicants, commissioners, staff and everyone if there is a lack of attendance is for several meetings in a row, and meetings have to be cancelled due to a lack of a quorum. The board understands life happens and understand occasional absences, but is there a way to work this out?
- Is the city considering an ordinance regulating VRBO units? One of the City Commission goals was to identify impacts of these units, and if ordinances should be developed. Staff is in the process of collecting data on these and in the future may have something for the board to review, consider and possibly recommend to the City Commission.
- What will happen with the log cabin chamber building? At this point, nothing is in the works for it.
- Storm water structures slated on the new Cedar St and Terrace St. project, how will they work? They will help reduce the amount of pollutants that are flushed downstream by reducing the amounts of liquid materials that are put into the watershed by french drain flushing and allowing water to seep into the ground first with a catch basin to collect materials.

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, May 20, 2019 at 5:00 p.m.

2019-4-15-10

St. Dennis moved, Biskner seconded, PASSED UNANIMOUSLY a motion to adjourn the April 15, 2019 meeting at 7:46 pm

Adjournment
****Motion**



Chair Aaron Place



Recording Secretary Pat Haver