

AGENDA
BOYNE CITY PLANNING COMMISSION
Monday, July 30, 2012, 5:00 p.m.
Boyne City Hall

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.

 - A. Approval of minutes from the June 18, 2012 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. One Water Street Submittal review of final development plan
 - B. Planning Commission reappointments
 - C. Planners Moments
8. Staff Report
9. Good of the Order
10. Adjournment – Next Meeting, August 20, 2012



**Meeting of
June 18, 2012**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, June 18, 2012 at 5:00 P.M.

Call to Order

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

Roll Call

Present: Gretchen Crum, George Ellwanger, Jim Kozlowski, Jane MacKenzie, Lori Meeder and Tom Neidhamer
Absent: Chris Frasz, John McCahan and Joe St. Dennis

**Excused Absence(s)
MOTION**

2012-06-18-2
Crum moved, Ellwanger seconded, PASSED UNANIMOUSLY a motion to excuse the absence of Frasz, McCahan and St. Dennis.

Meeting Attendance

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

**Consent Agenda
MOTION**

2012-06-18-3
Ellwanger moved, Crum seconded, PASSED UNANIMOUSLY a motion to approve the consent agenda. Approval of the May 21, 2012 Planning Commission minutes as presented.

**Comments on
Non-Agenda Items**

None

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

None

**Unfinished Business
Election of Officers**

At this point in the meeting, Tom Neidhamer resigned his position as Chair of the Planning Commission board, due to his appointment to the City Commission. After discussion and acceptance, **motion by Crum, seconded by Meeder to nominate Jane MacKenzie as Chair.**

MOTION

2012-06-18-6(1)
Roll Call:
Aye: Crum, Ellwanger, Kozlowski, MacKenzie, Meeder and Neidhamer
Nay: None
Absent: Frasz, McCahan and St. Dennis
Motion Carries

MOTION

After discussion and acceptance, **motion by MacKenzie, seconded by Ellwanger** to nominate Gretchen Crum as Vice Chair.

2012-06-18-6(2)
Roll Call:
Aye: Crum, Ellwanger, Kozlowski, MacKenzie, Meeder and Neidhamer
Nay: None
Absent: Frasz, McCahan and St. Dennis
Motion Carries

New Business

One Water Street request for preliminary review of final development plan and rescheduling of July meeting

Planning Director Scott McPherson referenced the final site plan for preliminary review and architectural pattern board examples that were provided in the agenda packet. The second reading for the Conditional rezoning will go before the City Commission on July 24th. They have asked to have the July Planning Commission meeting rescheduled to July 30, 2012, after the City Commission meeting to help expedite the process. All of the city departments have reviewed the plans and have no real concerns with them except the Superintendent of the Water Department. He was concerned about how each building would be metered. The proposed infrastructure will be built to city standards, so is not an issue. Previous development agreement was also attached, and will need to be updated with the revised plans; however, all of the stipulations and agreements are to remain the same.

Development Team presentation

Doug Mansfield - Mansfield & Associates

The plans in your packet are the same ones that were presented at the Conditional Rezoning hearing last month. The fire codes will meet the current requirements of 8 feet between buildings, each will have a sprinkler system, and fire rated materials will be used. The sanitary and storm water is all gravity and flows through the development with less impervious surfaces. We are looking at different ways to take care of the snow with removal vs heated drives with insta-heaters that cover zones. The landscaping will be low growing and low maintenance to maintain the views. Proposed will be ivy, ferns and myrtle between the buildings, Honey locust trees scattered throughout, and we have had conversations with the neighbors to the south about an arborvitae hedge. The entire site will be irrigated. We will meet with the city to develop any plans for the north side of the buildings on public property after uses are established. Lighting will be at a lower threshold for residential uses, and not broad scale commercial lighting.

Wally Kidd & Glen Catt - We have had a lot of enthusiasm from the community, and would like to capture the summer season to begin marketing the project. We are applying for a site sign in anticipation of approval. We feel uncomfortable about the soft beginning of marketing, but we have received favorable overwhelming positive support from all of the meetings we have attended so far, so would like to move forward with marketing the project as soon as possible.

Board Deliberation

MacKenzie - Our task tonight is to review the plan, and give our input prior to the final site plan review for next month.

Kozlowski - I have a question about the floating dock?

Catt - The fishing pier? It was a DEQ condition of the previous owner. Our development agreement, once Phase II is completed, we will be building the sidewalk on the triangle piece of property and the fishing pier will be completed.

Kozlowski - Sidewalks will be to our standards?

McPherson - Yes, the sidewalks must meet municipal standards.

Kozlowski - Will the public be allowed to walk down towards the end on the dock?

Catt – The entire length of the dock and the “T” will remain open to the public. The fingerlings will be private with association signage. The owners will not be allowed to put up tents, boat houses, or gates, as they would be in violation of the marina permit and association regulations.

Meeder – Is the development agreement to be amended for the new phases?

McPherson – Yes

Neidhamer – Will the shoreline banks be fancied up?

Catt – Not sure how much we can do, the Army Corp is pretty strict on what can be done. There will not be any lake access except the marina docks; the rip rap will be cleaned up as much as possible. The 200 foot dock will remain natural.

Kozlowski – Will the public be allowed down by the pool area?

Catt – No, the sidewalk in front of the lake side units is to be private. That is why we are keeping the marina dock open to the public.

Mansfield – Condominium documents and language will be presented next month, as they are with the attorneys at this point to have all of the association ownership details worked out.

Kozlowski – Will there be additional dock slips if the lower level of the condo unit is sold and split off?

Catt – No per the DEQ our marina can't be expanded, because they required a conservation easement. Out of the 24 slips, 3 will remain with the previous owner, 1 will stay with my family, 15 will be available for the upper level condo owners to purchase if they want, and we hope to be able to have a couple left for shoppers' docks and transient uses.

McPherson – Their proposed lighting plan, per our ordinance, will not exceed the threshold and I am fine with the proposed residential fixtures.

No action is required on the plan tonight, as they were looking for preliminary review suggestions and/or concerns prior to final development plan submittal for next month. However, they have asked for consideration of the Planning Commission meeting to be moved to Monday, July 30th, after the second reading of the Conditional rezoning that will be held on Tuesday, July 24th, that way they can move forward with marketing and construction details. After board discussion and review of the calendar, **motion by Ellwanger, seconded by Meeder, PASSED UNANIMOUSLY**, to reschedule the July meeting to the 30th of the month at 5:00 pm in the City Commission Chambers.

Planning Director McPherson believed that the extensive process for our lot reconfigurations is cumbersome and can be streamlined. It is not discretionary; they either meet the requirements, or they do not. It can also be a financial and time hardship for the applicant to go through our current process of two board meetings so minor changes have been proposed. After additional board discussion on this item, **motion by Crum seconded by Meeder** to recommend approval of the changes to the Lot Reconfiguration Ordinance as presented by the administrative staff to the City Commission.

2012-06-18-7B

Roll Call:

Aye: Crum, Ellwanger, Kozlowski, MacKenzie, Meeder and Neidhamer

Nay: None

Absent: Frasz, McCahan and St. Dennis

Motion Carries

MOTION

Review of Lot Reconfiguration Ordinance

MOTION

Planners Moments review

DVD presentation of Planners Moments - Signage.

- The City’s sign ordinance was highlighted, illustrating various types of signage within the city, the good and the bad.

Staff Report

- Devlon site – They have no current permits to do anything. They indicated they are still pursuing Brownfield funding and their request for appeal to the State Court of Appeals is still pending. The City now needs to look at other issues of the site, the unfinished building and fence and discuss what the next steps and methods will be.
- Kirtland – The engineering consultants were here and set up monitors on the equipment. They tested 25 pieces of equipment that could be involved in measures in mitigation of sound. The citizen committee will be meeting to discuss the findings, and then Kirtland will need to decide what can be done with the projected costs.

Good of the Order

Neidhamer advised he is involved with the newly established Watershed Committee. This group is attempting to identify problems within the Lake Charlevoix Watershed and come up with comprehensive and cohesive ordinance/guidelines for all watershed/waterfront areas in seven different communities.

Kozlowski advised that they are attempting to put together a “fly in” at the airport to coincide with Boyne Thunder in 2013. This will bring the most exposure for the event without impeding their event. More details to follow.

Adjournment

The next meeting of the Boyne City Planning Commission will be changed and scheduled for July 30, 2012.

****MOTION**

2012-06-18-10

Kozlowski moved, Neidhamer seconded, PASSED UNANIMOUSLY a motion to adjourn the meeting at 6:22 p.m.

Pat Haver, Recording Secretary

Jane MacKenzie, Chair

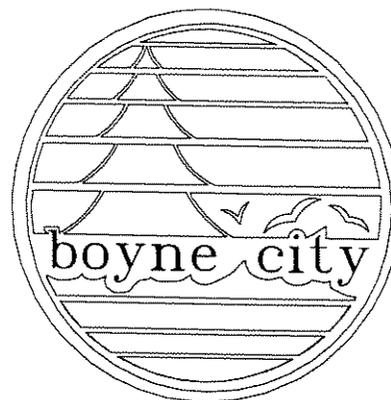
CITY OF BOYNE CITY

To: Chair Tom Neidhamer and fellow Planning Commissioners

From: Scott McPherson, Planning Director

Date: July 30, 2012

Subject: One Water Street Final Development Plan



BACKGROUND

Final Site plans have been submitted to the planning commission for review and approval of the final proposed site plan for the rezoning request to rezone the property from Waterfront Marina District (WMD) to Central Business District (CBD). The conditional rezoning request was approved by the City Commission at their regular meeting on July 24th and the rezoning will become effective on August 8th.

DISCUSSION

Proposed Uses- The ground floor of the structures would primarily consist of motel units designed for short term transient occupancy and would have only a bedroom and bathroom. It is anticipated that 3 of the ground floor units will be used for commercial uses however, this could fluctuate depending on market demand. One unit would be dedicated as a bathroom and shower facility for marina users. The second and third floors would contain 15 two bedroom units intended to be used as vacation rentals that could be used for short term or long term occupancy. The uses as proposed are principal permitted uses in the CBD as per section 10.20(J) and 10.20(M).

Building Placement, Height and Setbacks - The proposed project is comprised of basically two different building types. All the proposed buildings are 3 stories. The total height of the buildings as measured from the grade to the ridge is 37' and 40'. All the buildings will have 8/12 gable roofs and building heights as measured per the ordinance requirements would be 33 feet and 35 feet. In the CBD district the maximum building height is 45 feet or 3.5 stories. In the CBD zero setbacks are allowed with the exception of the waterfront where a 35ft setback from the high water mark must be maintained. The location of the buildings on the property line is permitted and is encouraged by the ordinance. A side yard setback of 33.3 feet from the south property line is proposed which would equal 16% of the corresponding lot width and will provide a lake view. The buildings on the proposed plan will have 8ft spacing between the walls of structures which will provide two other lake views from Front Street. Because the applicant is proposing a conditional rezoning to CBD, the 30% side yard requirement of BCZO 20.20 note(o) does not apply. While the Planning Commission is not required to make a finding in regards to the viewshed as it did with the previous application, it is totally appropriate to consider the changes in the viewshed in the context of this conditional rezoning request.

Parking-The submitted application has included parking calculations for the existing and the proposed uses. The uses as requested would require 132 parking spaces for existing developed portion of the project and the proposed changes. As with the previous approved plan the the

Planning Commission approved a 20% reduction for collective use of parking spaces as provided by BCZO section 24.20(F). In addition the applicant has requested the waiver of 14 spaces in accordance with the criteria of BCZO section 10.50. The Planning Commission approved the waiver of the spaces based on the finding that several of the marina slips would be owned by owners of the condominium units reducing the overall parking demand and the close proximity of public parking on Water Street and Front Street.

With the 20% reduction and the waiver of 14 spaces a total parking requirement of 92 spaces must be provided for the proposed uses. The submitted site plan shows a total of 92 spaces located on site. The onsite spaces will consist 16 paved spaces located on Front Street, 30 paved spaces in a parking lot, 7 spaces that will be reinforced turf parking and 39 paved spaces that will be located in the access drive, driveways and garages of the resort cottages.

Landscaping – The BCZO has provided the Planning Commission flexibility in approving landscaping requirements as a number of circumstances can affect the specific landscaping needs of individual sites. A landscaping plan has been provided by review.

Site Lighting -The applicant has also submitted a lighting plan and proposed fixtures for final plan review by the Planning Commission.

Development Agreement- In 2009 a Development Agreement was signed by the Catt Development the City to formalize the approved conditions. With this application Catt Development has offered to have all the stipulations and conditions in the agreement also apply to the proposed plan and it has been incorporated into the conditional rezoning agreement.

Process

This final review of the proposed final site plan and the planning commission should review the details of the site plan and the development plan criteria of ordinance section 19.40. A draft checklist has been provided for your review.

Recommendation

Review the proposed site plan and determine if the plan is in compliance with ordinance requirements and approve the plan if it is found to be in compliance.

DEVELOPMENT PLAN FINDINGS OF FACT ONE WATER STREET

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	PLANNING COMMISSION DETERMINATION	RELEVANT FACTS
<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 zoning district(s).</p>		<p>In 2009 approval was obtained for a mixed use development that included commercial, restaurant, office, a 37 unit hotel that would be comprised of 20 single bedroom units and 17 units with kitchen and dining facilities. Since the approval the commercial, restaurant and office portion of the building has been constructed. The applicant is requesting a conditional rezoning for the parcel from WMD to CBD. The proposed uses for the parcel is a motel and mixed use development. The proposed plan would replace the 37 room hotel with 13 resort cottage structures that would contain short term and extended stay units, commercial uses and a bathroom/shower facility dedicated for the marina users. All the proposed uses are principal permitted uses in the CBD as per BCZO sections 10.20(J) and (M). The proposed 3 story buildings would have heights of 33' and 35' and do not exceed the maximum building height allowed for the CBD district of 3.5 stories or 45 feet. The proposed buildings would meet the setback and lot coverage requirements for the CBD.</p> <p>The parcel is in the Waterfront Marina District and is adjacent to the Multifamily Residential District on the south, Central Business District to the east and Community Service District on the north. Existing Land Uses around the property include residential, retail, marina and commercial.</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>The proposed buildings located are similar in style and mass, to existing surrounding development at the Water Street Inn and Harborside condominiums. The provided pattern book for the proposed structures are in compliance with design criteria provided in Article 22 and the proposed designs have been reviewed by the main street design committee.</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. Parcels along the City's lakefront shall be developed as to minimize disruption of visual access to the lakefront from adjacent roadways and to maintain view sheds of the lakefront</p>		<p>The location of the buildings on the property line is permitted and is encouraged by the BCZO. A side yard setback of 33.3 feet from the south property line is proposed which would equal 16% of the corresponding lot width and will provide unobstructed views from Front Street for 102 feet. The buildings on the proposed plan will have 8ft spacing between the walls of structures which will provide two other lake views from Front Street. One view would have a total of 35ft of view from Front Street, of which 15ft would be somewhat obstructed by the dumpster enclosure. The other view would have 35 feet of view from Front Street with 7 feet obstructed. Because the applicant is proposing a conditional rezoning to CBD, the 30% side yard requirement of BCZO 20.20 note(o) does not apply.</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>Existing streets will be used to access the parcel and no new streets are being developed with this proposal.</p>

**DEVELOPMENT PLAN FINDINGS OF FACT
ONE WATER STREET**

<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>Existing curb cuts on Front street will be used to access the site. Curb cuts were installed in conjunction with the City during the reconstruction of Front street in 2007. The two vehicle ingress/egress access points to the parking lot are the only vehicle access points onto the parcel. The design and configuration of the parking lot is for destination traffic and it does not promote through or drive by traffic. The site will also be accessed by pedestrians from on street parking spaces located on Water Street and Front street. Due to its location, short length, orientation and 90 degree on street parking, Front street functions at low volumes and speeds. Marked pedestrian crossings are at located at midblock and the corner of Front and Water Street. While it is a street, the dead end portion of Water Street, west of Front Street functions like a parking lot and operates at low volumes and speeds. A 10' sidewalk will be around the perimeter of Water Street and a marked cross walk is located at the Water Street and Front Street intersection.</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>Building can be accessed from Front street and Water Street. Relocation of fire hydrant on Water Street is required as it is too close to building. Fire hydrant should be relocated farther north and an additional fire hydrant added on the east side of front street. Boyne City fire chief and police chief have reviewed the proposed plan and stated no concerns in regards to emergency vehicle access.</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>As part of the previous approval there has been an extension of sidewalk to the west down to the marina dock. The main dock of the marina is open to the public. A proposed fishing dock that would be located in the public ROW. All improvements on public property must be approved by City Commission. A 7' sidewalk has been installed along Front Street and a 10' sidewalk has been installed along Water Street.</p>
<p><u>H. Barrier-Free Access.</u> The site has been designed to provide barrier-free parking and pedestrian circulation.</p>		<p>The applicant has provided 4 barrier free parking spaces on the property. 1 barrier free space has been installed at the end of Water St.</p>
<p><u>L. 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>A total of 132 total parking spaces is calculated for all the proposed uses. A 20% reduction has been approved by the planning commission for collective uses as per 24.20(F). With the 20% reduction the applicant is required to provide 106 parking spaces. The submitted site plan shows 92 spaces located on site and The onsite spaces will be consist 16 paved spaces located on Front Street, 30 paved spaces in a parking lot, 7 spaces that will be reinforced turf parking and 39 paved spaces that will be located in the access drive, driveways and garages of the resort cottages. In accordance with the provisions of section 10.50 and based on a finding that patrons will either walk to the site from nearby neighborhoods or will park at other sites and visit several uses, and the availability of on-street parking spaces, off-site parking lots and municipal parking lots the remaining required 14 spaces have been waived by the planning commission.</p>

**DEVELOPMENT PLAN FINDINGS OF FACT
ONE WATER STREET**

<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 area provided meets the ordinance criteria.</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>Site is flat and has no existing natural vegetation. Existing landscaping elements on the property will be removed. Proposed landscaping plan does meet minimum ordinance requirements.</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 permit is required and must be obtained prior to construction.</p>
<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.</p>		<p>Storm water will be collected and routed into City storm water filtration system located in Sunset park. Applicant must pay hook up fee prior to construction.</p>

**DEVELOPMENT PLAN FINDINGS OF FACT
ONE WATER STREET**

<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>Detailed lighting plan for the entire site has been submitted for final plan review. Residential fixtures to be used for interior site lighting, street lights match existing City street lights.</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>Uses and activities on site will be similar to those of the surrounding area and noise levels are not anticipated to exceed existing uses.</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>Mechanical equipment will be screened. Roof top mechanical equipment will be screened by roof parapet and roof structures. Ground mechanical equipment will be screened with fencing and landscaping.</p>
<p><u>R. Signs.</u> The standards of the City of Boyne City's Sign Ordinance are met.</p>		<p>The location of a proposed sign is shown on the provided plans with a sign meeting ordinance standards to be permitted at a later date.</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>Proposed uses do not use or store hazardous materials.</p>
<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>All required permits must be obtained prior to construction.</p>

**DEVELOPMENT PLAN FINDINGS OF FACT
ONE WATER STREET**

<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>		<p>Plan is approved with the following conditions: 1</p>
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Motion:

Supported by:

Vote: Ayes: Nays: Absent: Abstained: ____

DATE

Signature: _____
 Boyne City Planning Commission Chairperson

Pat Haver
319 N. Lake Street
Boyne City, MI 49712
(231) 582-6597
(231) 582-6506 fax
phaver@boynecity.com

City of Boyne City

Memo

To: Chair Jane MacKenzie and fellow Planning Commissioners

From: Pat Haver, Planning Assistant *PH*

Date: July 25, 2012

Re: Planning Commission Reappointment Recommendations

On May 31 of this year, the three year appointments of George Ellwanger and Chris Frasz were due to expire. After the board receives affirmation from these two members that they wish to continue to serve, a motion to recommend their re-appointment to the Planning Commission will need to be made to the City Commission.