

AGENDA
BOYNE CITY PLANNING COMMISSION
Monday, April 16, 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 March 19, 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. Preliminary Review of Conditional Rezoning Request for 1 Water Street submitted by Catt Development
 - B. Review Park Street Reconstruction proposals.
 - C. Planning Commissioner Reappointment Recommendations
8. Staff Report
9. Good of the Order
10. Adjournment – Next Meeting, May 21, 2012



**Meeting of
March 19, 2012**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, March 19, 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, Chris Frasz, Jim Kozlowski, Lori Meeder, Tom Neidhamer and Joe St. Dennis
Absent: Jane MacKenzie (arrival at 5:02 pm) and John McCahan

**Excused Absence(s)
MOTION

2012-3-19-2
St. Dennis moved, Crum seconded, PASSED UNANIMOUSLY a motion to excuse the absence of McCahan.

Meeting Attendance

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

**Consent Agenda
MOTION

2012-3-19-3
Crum moved, St. Dennis seconded, PASSED UNANIMOUSLY a motion to approve the consent agenda. Approval of the February 20, 2012 Planning Commission minutes as presented.

**Comments on
Non-Agenda Items**

Mark Kowalski wanted to let the board members know that he has listened to the audio tapes from the previous Kirtland meetings, and thought the planning members did a thorough job with the Kirtland Products review in 2008. Several times questions were asked about noise, traffic flows, and (vapor) smoke. At that time Kirtland staff assured the planning board members that those items had been considered, and they assured the board that steps will be taken to minimize them however, Kirtland staff now needs to get closer to what they said they would do. He appreciates the job the city and volunteers are doing to rectify the situation.

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

Kirtland Products Update

Planning Director McPherson updated the board on the (2) meetings that have been held by the citizens committee. RFPs (request for proposals) toward acquiring guidelines/parameters associated to items listed on Kirtland Products conditional use permit approval of 2008, including, but not limited to: noise, vapor, odor, visual, plume including particulates, industrial nuisance and items affecting mixed use properties have gone out with (2) responses back so far. They have interviewed one company, and plan to interview the second one this week. The LDFA board will receive a recommendation from the citizens committee, and if they concur they will forward onto the City Commission. Unknown if smaller companies will be able to bid on specific components of the proposals.

Unfinished Business

None

New Business

Public Hearing for proposed zoning ordinance amendments to allow chickens in the Traditional Residential District (TRD) and (RED) Rural Estate District

Planning Director McPherson reviewed his staff report that was included in the agenda packet. In the fall of 2011 several city residents approached the planning commission requesting the commission consider amending the zoning ordinance to allow people to keep chickens in residential areas. After considering the request and reviewing relevant ordinances the planning commission directed staff to develop a draft ordinance amendment that would allow people to keep chickens in residential areas.

Public Hearing opened at 5:14 p.m.

With no public comments, the hearing was closed at 5:15 pm.

Board Discussion and deliberations

Meeder – Will a license or a permit be issued?

McPherson – No it will be a use by right

The Commission reviewed the proposed amendment and used the amendment criteria listed in section 2.50(A) of the zoning ordinance as a guide in making their decision on the proposed amendment. After board discussion, **moved by Ellwanger, seconded by Meeder** to recommend to the City Commission the adoption of the proposed zoning amendment to allow chickens in the TRD and RED districts based on the findings which are consistent with the criteria in section 2.50A.

****MOTION**

2012-3-19-7A

Roll Call:

Ayes: Crum, Ellwanger, Frasz, Kozlowski, MacKenzie, Meeder, Neidhamer and St. Dennis

Nays: None

Absent: McCahan

Motion Carried

Review city wide goals and input from the goal setting sessions and on line survey

In the agenda packet was a list of the 16 items that have been assembled as the top city goals. The board has previously discussed a review of the Master Plan and Comprehensive Plan as they are up for a 5 year review. This will give the city the opportunity to amend any plans to mesh with the stated goals. Some of those goals were to improve city facilities along with infrastructure and maintenance programs, job acquisition and retention, improve the entrance to the community, develop and promote snowmobile and other trails to and through town, expand the marina and improve the parks. Looking at the 2010 top 10 goals, the 2012 almost mirror those. Executive Assistant Barb Brooks did a great job on the data collection, collating and output of the information. When meetings have light agendas, plan section reviews will be done.

2012 Planners Moments

Each year the MSU office puts out the Planners Moments. The fee to participate again this year will be \$120.00. The board was in agreement that it is a good program, and has agreed to sign up again.

Staff Report

Devlon – A hearing is set for March 20th. before Judge May on the enforcement order. They may request a stay of that order until they get through their next

appeal with the Circuit Court of Appeals, who has the discretion to hear or not. If the request for the stay is not granted, they will be given a time line to clean up the rubble pile, and grade the site, hopefully, by this summer. Once the site is made safe, the fence will be removed.

Good of the Order

- Property Maintenance Code – the city does not have one that would allow a hearing officer to look into houses and/or properties with problems that need to be addressed. This might be a good thing for the city to look into developing.
 - Can additional trash barrels be put out early?
 - It was brought up how nice the city looks and how hard the street guys have been working to clean up after the recent storm. They have noticed how long the crew has been working, and all of the trucks going back and forth full and/or empty to retrieve more brush, limbs and debris. They were impressed with the speed in which the clean up began after the roads were cleared, and how they continue to work to make the city and parks nice looking places. The board's appreciation and thanks will be passed along to the crew.
-

Adjournment

The next regular meeting of the Boyne City Planning Commission is scheduled for April 16, 2012.

****MOTION**

2012-3-19-10

Crum moved, St. Dennis seconded, PASSED UNANIMOUSLY a motion to adjourn the meeting at 6:00 p.m.

Pat Haver, Recording Secretary

Tom Neidhamer, Chair

CITY OF BOYNE CITY

To: Chair Tom Neidhamer and fellow Planning Commissioners

From: Scott McPherson, Planning Director

Date: April 16, 2012

Subject: 1 Water Street Conditional Rezoning Request



Background

Catt Development has submitted a conditional rezoning request for the 1 Water Street Property. The proposed plan would rezone the property from Waterfront Marina District to Central Business District to the proposed use of detached motel units. The proposed plan would eliminate the approved 37 unit hotel with 15 detached cottage units that would consist of a of ground floor rental suite that would closely resemble a typical hotel room on the ground floor and two bedroom dwelling on the upper floors. Commercial space is being proposed on the ground floor of two of the cottages.

Discussion

Representatives from Catt Development will be at the meeting to make a presentation and answer questions. The Planning Commission should take this opportunity to ask questions and make determinations if any additional information is required.

Process

As this is a preliminary review no formal action is required at this meeting and a checklist has not been prepared. If the Planning Commission believes the application is complete and can move forward a public hearing can be scheduled for the next scheduled planning commission meeting. As this is a conditional rezoning approval by the City Commission is required. If the conditional rezoning is approved by the City Commission the plan will come back to the Planning Commission for final site plan review.

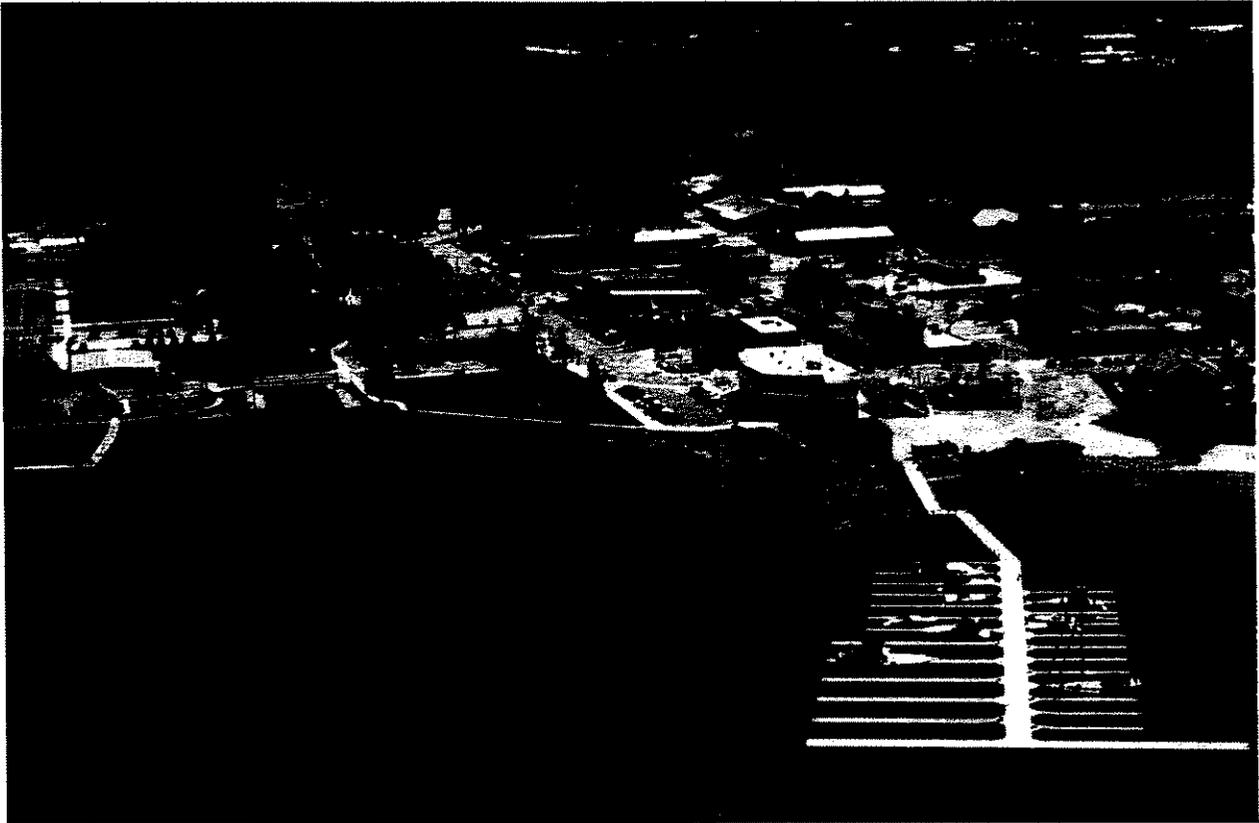
Recommendation

Review the proposed plan and schedule a public hearing for the conditional rezoning.

Application for
Conditional Re-Zoning
One Water Street Resort Cottages
A Catt Development Project

Submitted to:

City of Boyne City
Scott McPherson, AICP Planning/Zoning Director
319 N. Lake Street
Boyne City, MI 49712



Developer:



Prepared by:



Project Partners:



**TRAVERSE
ARCHITECTURAL
GROUP, L.L.C.**

1212 Veterans Drive
Traverse City, MI 49684
231-946-9940 • F 231-946-9945

Integrity
CONSTRUCTION SERVICES

April 2, 2012

Scott McPherson, AICP
City of Boyne City, Planning/Zoning Director
319 N. Lake Street
Boyne City, MI 49712

Re: Proposed Conditional Rezoning Offer
One Water Street

Dear Scott,

Per our recent discussions, I am requesting to be placed on the agenda for the next regular Planning Commission meeting, which I understand to be on April 16, 2012, to formally introduce an Offer for Conditional Rezoning.

As you know, the One Water Street parcel currently holds a City Land Use Permit for two structures, one two-storey (completed) mixed-use storefront building housing Café Santé, commercial and office uses, the other (yet to be constructed) four-story hotel-condominium, and a (completed) marina pier. Only two of the currently approved uses (marina and restaurant) on the One Water Street site are principal permitted uses within the Waterfront Marina District. The existing and proposed mixed-uses on the site more accurately reflect a Central Business District zoning. Rezoning the parcel from WMD to CBD will more accurately reflect that actual existing and proposed land use on the parcel.

The One Water Street parcel is bordered by a City park to the north, commercial uses to the east, residential uses to the south, and Lake Charlevoix to the west. The Master Plan designates this area for uses consistent with the Downtown Core designation. Catt Development is offering to Conditionally Rezone the One Water Street parcel from WMD Waterfront Marina District to CBD Central Business District with Conditions for the purpose of permitting, constructing and operating a mixed-use Resort Cottage development consisting of 15 cottages to replace the currently approved hotel-condominium building. Each Resort Cottage will be sustainable onto itself in terms of economic viability including ground floor leasable space for complementary and compatible uses. The project will be conveyed through a condominium with provisions for maintenance, operations, and restrictions providing both long term and transient occupancies, with leasing handled by an off-site, in-town manager. The structures will be protected by individual NFPA 13R fire suppression systems, and served with extensions of municipal sanitary sewer and water systems, private roads and other public and private utilities. (see attached Site Plan and Architectural Designs).

The primary reason for requesting a conditional rezoning of the One Water Street parcel is that

today's financial climate makes it virtually impossible to obtain financing for large, multi-unit residential and lodging developments. Financing is limited for both the initial construction of the project, and also for the sale (mortgages) of the individual condominium units within the development. Financial institutions are more willing to finance both the construction and sale of individual units such as the proposed resort cottages. Secondly, the design team feels that the proposed resort cottage (motel) use will positively contribute to the character of One Water Street, as well as the City of Boyne City. Rather than continue the pattern of large condominium buildings lining the waterfront, the proposed clustered cottage development will provide an aesthetically pleasing human scale of structures, resulting in a pleasantly soft urban feel reminiscent of quaint motor courts of the past and taking architectural cues from the historic neighborhood homes of Boyne City. This project would provide a unique tourist lodging alternative along the waterfront in Boyne City.

Pursuant to this request, we are submitting the following documents:

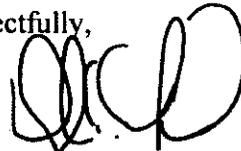
- this Cover Letter (18-8.5x11)
- Rezoning Application (18-8.5x11)
- Site Plan Review Application (18-8.5x11)
- A Rezoning Exhibit, showing surrounding land use and ownership (18-8.5x11)
- Draft Conditional Rezoning Agreement (18-8.5x11)
- Resort Cottage Preliminary Site Plan (1-24x36, 17-11x17)
- Engineering Dimensioning Plan (1-24x36, 17-11x17)
- Engineering Utility Plan (1-24x36, 17-11x17)
- Architectural Elevations and Floorplans (1-24x36, 17-11x17)

Due to the nature of this request and per our previous conversations, we have also attached:

- and a response to Section 2.40 Amendment Procedures (18-8.5x11)
- and a response to Article II Section 2.70 Conditional Uses in Districts (18-8.5x11)
- View Corridor Analysis Exhibit (1-24x36, 17-11x17)

We are confident that the success enjoyed by the first phase completed at One Water Street proves the level of quality and commitment the City can expect from Catt Development in the completion of the project. We look forward to working with the City to complete a successful project to the benefit of both the developer and the City. Please feel free to contact me at (231) 946-9310 *office*, or (231) 218-5560 *cell*, should you have any questions, or require additional information.

Respectfully,



Douglas W. Mansfield, President
Mansfield & Associates, Inc.



**BOYNE CITY
PLANNING COMMISSION**

REZONING APPLICATION
319 N. Lake Street (231) 582-0343
Boyer City, Michigan 49712
www.boynecity.com

➔ **Applicant Name:** Mansfield * Associates, Inc. - Doug Mansfield
Street Address: 1212 Veterans Dr.
City: Traverse City **State:** MI **Zip-Code:** 49684
Phone Number (s): (231) 946-9310 **E-mail:** doug@maaeprs.com

➔ **Property Owner's Name:** *(for all lots affected)* CATT Development - Glen Catt
Street Address: 829 W. Main St. Suite C
City: Gaylord **State:** MI **Zip-Code:** 49735
Phone Number (s): (989) 732-9722

➔ **Project Location:** **Street Address:** One Water Street
Property ID Number: 15-051- 445-705-1131

I / We request: a rezoning of the partially completed One Water St. development
Current Zoning: WMD (waterfront marina) **Proposed Zoning:** CBD (central business) parcel
Propose Use: Motel (other mixed uses already existing)

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 all information submitted in support of this application is true and accurate to the best of my/our knowledge, and that a filing fee is due with this application.

	<u>DOUGLAS MANSFIELD</u>	<u>3/30/12</u>
Applicant (Printed Name)	Signature	Date
	<u>Glen Catt</u>	<u>3/26/2012</u>
Property Owner(s) (Printed Name)	Signature	Date

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

Please be advised that there may be deed restrictions limiting the use of your property. The Boyne City Planning Department does not investigate or enforce any such deed restrictions. Deed restrictions are generally enforced by local property owners or home owners associations. You may wish to future investigate any such deed restrictions before proceeding with this application. Furthermore, there may be permits required by state and federal agencies, and you may wish to further investigate these. The Planning Department does not assume any responsibility to ensure that the proper permits have been obtained.



**Boyer City
Planning Commission**

319 N. Lake Street
Boyer City, Michigan 49712-1188
(231) 582-0343
www.boyrecity.com

**Site Plan Review Application
FULL PLAN REVIEW**

➔ **Applicant Name:** Mansfield * Associates, Inc. - Doug Mansfield
Street Address: 1212 Veterans Dr.
City: Traverse City **State:** MI **Zip-Code:** 49684
Phone Number (s): (231) 946-9310 **E-mail:** doug.m@ma9eps.com

➔ **Property Owner's Name:** CATT Development - Glen Catt
Street Address: 829 W. Main St. Suite C
City: Gaylord **State:** MI **Zip-Code:** 49735
Phone Number (s): (909) 732-9722

➔ **Project Location: Street Address:** One Water Street
Property ID Number: 15-051-445-705-1131

I / We request: site plan review and land use permitting to complete the final component of the One Water St. mixed-use development.

As an illustration of this request, I/we have attached a site plan(s) of the premise drawn to scale showing the location of all existing and proposed structures, improvements, and uses on the property as well as any information required by ordinance.

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 Boyer City Zoning Ordinance as well as all procedures and policies of the City of Boyer 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.

DOUGLAS MANSFIELD
Applicant (Printed Name)

[Signature]
Property Owner (Printed Name)

[Signature]
Signature

Glen Catt
Signature

3/30/12
Date

3/26/2012
Date

Application and filing fee received _____

Receipt Number _____

Received by _____



City Park

Subject Parcel
051-445-082-10

- 051-491-002-00
- 051-491-001-00
- 051-435-002-00
- 051-445-100-50
- 051-445-100-00
- 051-445-099-00
- 051-445-098-00
- 051-445-096-50
- 051-445-096-00
- 051-445-093-00
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- 051-493-001-00
- 051-493-002-00
- 051-493-003-00
- 051-493-004-00
- 051-493-005-00
- 051-493-006-00
- 051-493-007-00
- 051-493-008-00

- 051-493-012-00
- 051-493-011-00
- 051-493-010-00
- 051-493-009-00

One Water Street - Rezoning Request
Exhibit of Surrounding Land Use and Ownership

Zoned	Existing Use	Master Planned	Parcel	Property Address:	Owner Information:	
CBD	Commercial	Downtown Core	051-435-002-00	102 LAKE ST S	GABOS MICHAEL E TRUST 1/2 GABOS ANN L TRUST 1/2	123 W MICHIGAN AVE BOYNE CITY, MI 49712
WMD	Commercial	Downtown Core	051-445-082-10	1 WATER ST	INTEGRITY LAND COMPANY	829 W MAIN ST, STE C GAYLORD, MI 49735
CBD	Commercial	Downtown Core	051-445-089-00	210 FRONT ST	INTEGRITY LAND COMPANY	829 W MAIN ST, STE C GAYLORD, MI 49735
CBD	Commercial	Downtown Core	051-445-090-00	202 A LAKE ST S	BOYNE HOLDINGS INC	PO BOX 622 PETOSKEY, MI 49770
CBD	Commercial	Downtown Core	051-445-093-00	LAKE ST	BOYNE HOLDINGS INC	PO BOX 622 PETOSKEY, MI 49770
CBD	Commercial	Downtown Core	051-445-096-00	116 B LAKE ST S	COLLINS DAVID M	116 S LAKE ST BOYNE CITY, MI 49712
CBD	Commercial	Downtown Core	051-445-096-50	118 LAKE ST S	COLLINS DAVID M	116 S LAKE ST BOYNE CITY, MI 49712
CBD	Commercial	Downtown Core	051-445-098-00	116 LAKE ST S	COLLINS DAVID M	116 S LAKE ST BOYNE CITY, MI 49712
CBD	Commercial	Downtown Core	051-445-099-00	112 LAKE ST S	PAGA PROPERTIES LLC	112 S LAKE ST BOYNE CITY, MI 49712
CBD	Commercial	Downtown Core	051-445-100-00	110 LAKE ST S	CJB PROPERTIES II LLC	565 W MITCHELL ST PETOSKEY, MI 49770
CBD	Commercial	Downtown Core	051-445-100-50	108 LAKE ST S	UHRICK JOHN E TRUSTEE UHRICK JOHN E TRUST	8276 MERCER BLVD CHARLEVOIX, MI 49720
CBD	Commercial	Downtown Core	051-491-001-00	104 LAKE ST S	CZERKES STEPHEN & CATHERINE CO-TTEE CZERKES STEPHEN & CATHERINE TRUST	01294 FOREST LANE BOYNE CITY, MI 49712
CBD	Commercial	Downtown Core	051-491-002-00	106 LAKE ST S	DRAGOO KEVIN L & LAURIL JU	1619 DENNISON RD EAST LANSING, MI 48823
MFRD	Commercial	Multiple Family	051-493-001-00	222 A FRONT ST		
MFRD	Commercial	Multiple Family	051-493-002-00	222 B FRONT ST		
MFRD	Commercial	Multiple Family	051-493-003-00	222 C FRONT ST	SCROGGIE DAVID E & DEBORAH L	625 ISLAND DR WHITE LAKE, MI 48386
MFRD	Commercial	Multiple Family	051-493-004-00	222 D FRONT ST	PLAINE SUSAN N REV LVG TRUST	4398 FORESTVIEW DR WEST BLOOMFIELD, MI 48322
MFRD	Commercial	Multiple Family	051-493-005-00	212 A FRONT ST	KERBAWY EVELYN T TRUSTEE KERBAWY EVELYN REVOC TRUST	212 FRONT ST APT 5 BOYNE CITY, MI 49712
MFRD	Commercial	Multiple Family	051-493-006-00	212 B FRONT ST	LEWIS LORIL TRUST	22470 SOUTHWYCK CT NOVI, MI 48374
MFRD	Commercial	Multiple Family	051-493-007-00	212 C FRONT ST	DORAN THOMAS B & BARBARA L	303 OAK KNOLL LANE CARO, MI 48723
MFRD	Commercial	Multiple Family	051-493-008-00	212 D FRONT ST	LUTZ MICHAEL D & KATHRYN W	552 MADISON ST BIRMINGHAM, MI 48009
MFRD	Commercial	Multiple Family	051-493-009-00	202 A FRONT ST	STOWELL IRENE D LIVING TRUST	202 FRONT ST #9 BOYNE CITY, MI 49712
MFRD	Commercial	Multiple Family	051-493-010-00	202 B FRONT ST	FLOOD CLIFFORD T & ANNETTE E	402 SHORELINE DR DEWITT, MI 48820
MFRD	Commercial	Multiple Family	051-493-011-00	202 C FRONT ST	KENNEDY JEFFREY R & COLLEEN R	22821 SPY GLASS HILL DR SOUTH LYON, MI
MFRD	Commercial	Multiple Family	051-493-012-00	202 D FRONT ST	LOGINSKY MARIAN E TRUSTEE LOGINSKY MARIAN E LVG TRUST	540 HILLTOP LN BIRMINGHAM, MI 48009

One Water Street -Rezoning Request
Exhibit of Surrounding Land Use and Ownership

SECTION 1 - TITLE

CONDITIONAL REZONING AGREEMENT

between

Catt Development, Glen Catt -President, 829 W. Main St. Suite C, Gaylord, MI 49735

(the applicant)

and the

City of Boyne City, Charlevoix County, Michigan

for the rezoning of property located at

One Water Street, Boyne City, MI. 49735

Property Identification Number 15-051-445-082-10

SECTION 2 - PROPERTY AND PARTIES

THIS CONDITIONAL REZONING AGREEMENT is made of this ____th day of _____ 2012, by Catt Development, Glen Catt -President, 829 W. Main St. Suite C, Gaylord, MI 49735 herein after referred to as the applicant being the property owner of certain property having the Property Identification Number 15-051-445-082-10 and the City of Boyne City, Charlevoix County, Michigan herein after referred to as the City of Boyne City.

SECTION 3 - REQUESTED ACTION

WHEREAS, The applicant being the owners of certain property located at One Water Street, Boyne City, MI. 49735 **Property Identification Number** 15-051-445-082-10 legally described on the attached Exhibit "A" which is incorporated herein by reference, have petitioned the City of Boyne City Planning Commission for the rezoning of this property from the Waterfront Marina District (WMD) Zoning to Central Business District (CBD) Classification with Conditions as set forth in the City of Boyne City Zoning Ordinance, effective May 23, 2001, as amended to date, for the purpose of permitting, constructing and operating a mixed-use cottage development consisting of 15 cottages, each sustainable onto itself in terms of economic viability including ground floor leasable space for complementary and compatible uses, protected by individual NFPA 13R fire suppression systems, conveyed through a condominium and with restrictions including the provision for both long term and transient occupancies, with leasing handled by an off-site, in-town manager, 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 CBD Zoning Classification.

SECTION 4- STATUTORY AUTHORITY

WHEREAS, the applicant has requested the conditional rezoning of the subject property to allow for the operation a mixed-use cottage development consisting of 15 cottages, each sustainable onto itself in terms of economic viability including ground floor leasable

space for complementary and compatible uses, protected by individual NFPA 13R fire suppression systems, conveyed through a condominium and with restrictions including the provision for both long term and transient occupancies, with leasing handled by an off-site, in-town manager, 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 CBD 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 land as described in Exhibit "A" as attached hereto to CBD with Conditions for the purpose of permitting, constructing, operating and maintaining a mixed-use cottage development consisting of 15 cottages, each sustainable onto itself in terms of economic viability including ground floor leasable space for complementary and compatible uses, protected by individual NFPA 13R fire suppression systems, conveyed through a condominium and with restrictions including the provision for both long term and transient occupancies, with leasing handled by an off-site, in-town manager, 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 CBD Zoning Classification.

1. The subject property is deemed to be a *Conditional Rezoning*, that being a land use that will, if not undertaken within three (3) years of the date of adoption, revert to a use in conformance with the City of Boyne City Master Plan and Zoning Ordinance.

2. It is understood by all parties that this Zoning Agreement and the corresponding Conditional Rezoning Offer were proposed voluntarily by the landowner, and applicant, and that the City in its review and determination have relied upon the same.

3. This agreement shall be recognized as meeting the intentions and authorizations of all state and federal law an in its signature is valid.

4. The property identified in Exhibit "A" attached hereto shall be developed or used in a manner that conforms to the requirements of the CBD with Conditions District and the incorporated Zoning Agreement and specifically per the attached preliminary plan set.

5. That this 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 requirements and conditions in the 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 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 Condominium Master Deed will provide the conditions of the maintenance and operations standards and escrowed funds to sustain all common elements of the development.
10. That the plans submitted with and for the Conditional Rezoning offer and referenced herein are preliminary in nature and while it is the intent that they meet the rules and regulations that promulgate such a development they are subject to final review and permitting by several other agencies and in such subject to change.
11. That the intent of this development is it be constructed in phases of 3-units starting from the northwest corner of the site, with the pool amenity to be constructed at mid-term of complete build-out, and marina restroom and shower facilities to be located in a ground floor area of a cottage unit.

SECTION 7 - OTHER REPRESENTATIONS AND AGREEMENTS

7. This 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

8. 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 Agreement shall be deemed a waiver of a breach of any other provision of this Agreement or a consent to any subsequent breach of the same or any other provision of this 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

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

SECTION 10 - DELIVERY OF NOTICES

10. 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:

Catt Development, Glen Catt -President, 829 W. Main St. Suite C, Gaylord, MI 49735

SECTION 11 - SIGNATURE BY FACSIMILE

11. The parties agree that this 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

12. 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

CITY OF BOYNE CITY PLANNING COMMISSION REVIEW AND RECOMMENDATION

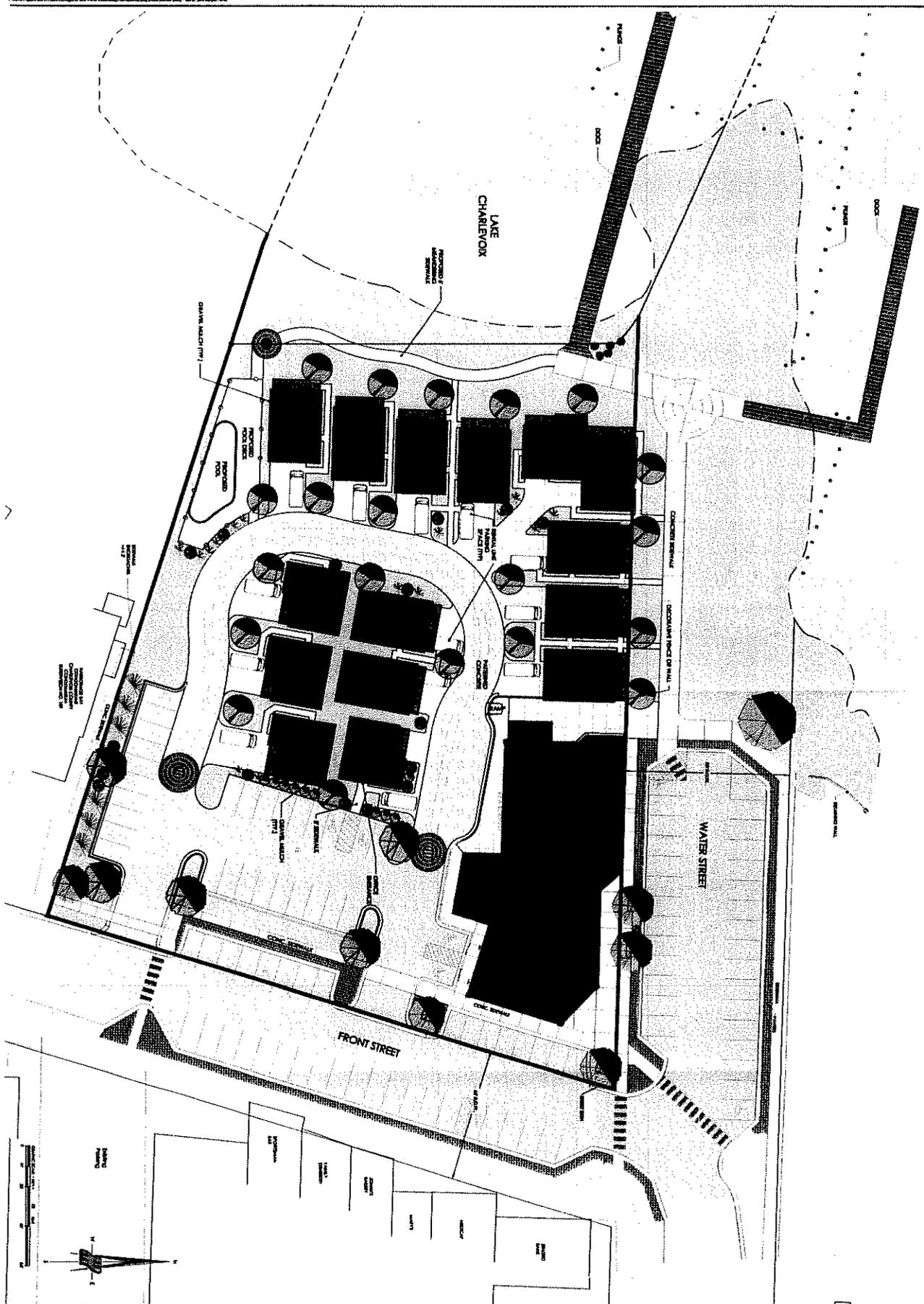
After proper public notice was given and a public hearing held on *add date of public hearing*, 2012 before the City of Boyne City Planning Commission, a motion was duly made and approved as recorded in the minutes of the Planning Commission meeting of the same date recommending the City of Boyne City Commissioners approve this Conditional Rezoning Agreement.

Chair

Secretary

SECTION 14 - SIGNATURE AND NOTARIZATION

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



DATE	1/20/10
BY	J. MANSFIELD
CHECKED BY	J. MANSFIELD
SCALE	AS SHOWN

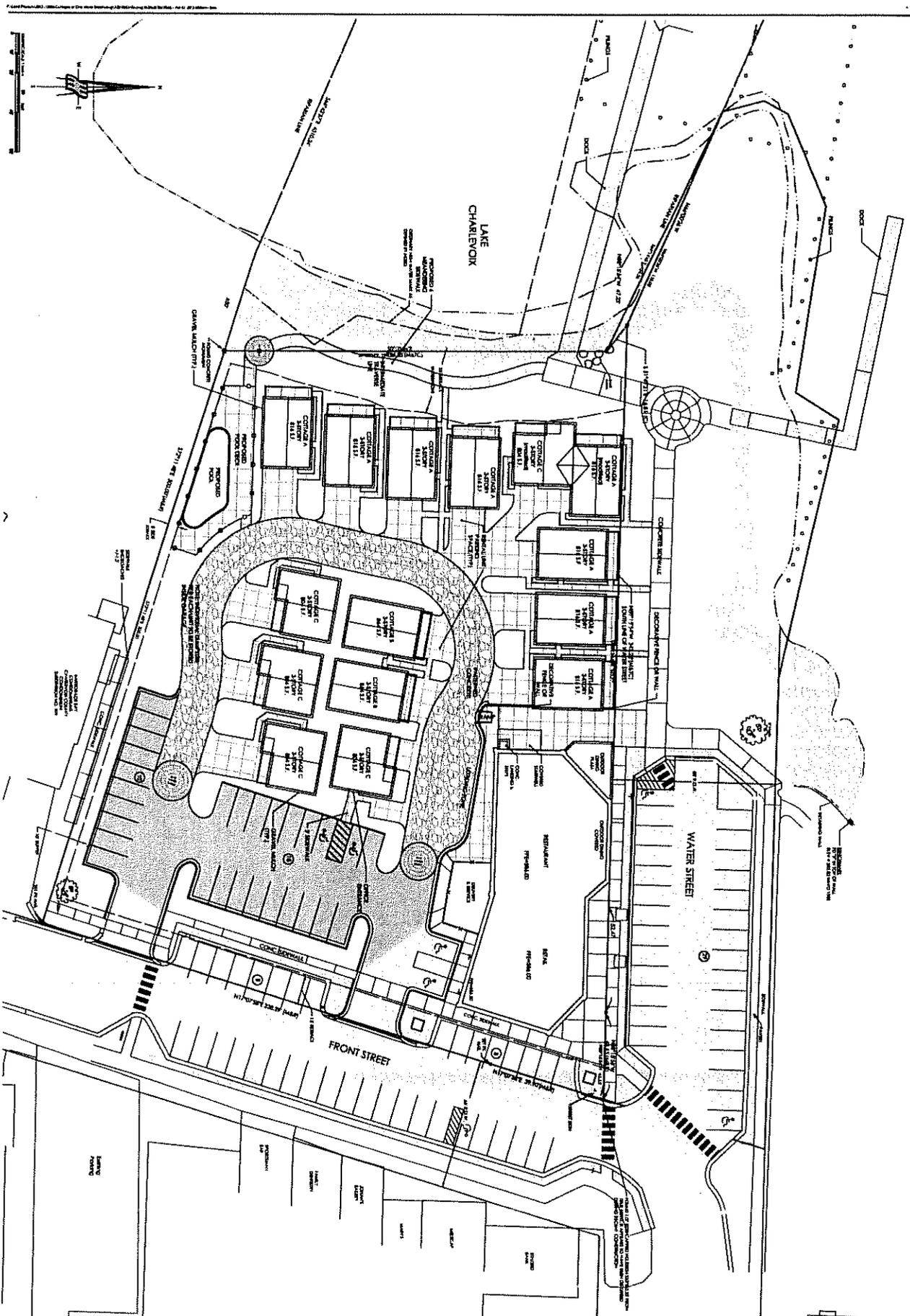
**Cott Development
One Water Street
Site Plan**
Section 35, Town 33 North, Range 6 West
City of Boyne City, Charlevoix County, Michigan

NO.	DATE	BY	DESCRIPTION
1	1/20/10	J. MANSFIELD	Original design
2	1/20/10	J. MANSFIELD	Revisions per client
3	1/20/10	J. MANSFIELD	Final design

Mansfield & Associates
Land Use Consultants

Planners
Civil Engineers
Surveyors
Testing Services

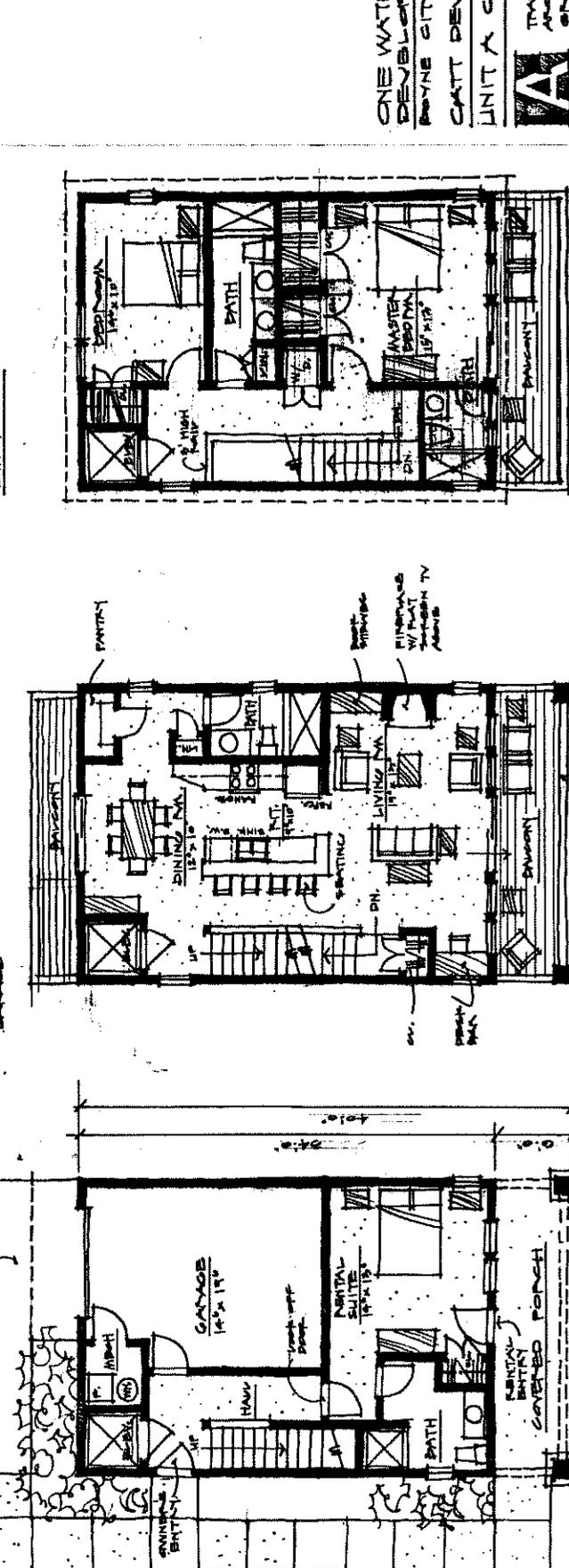
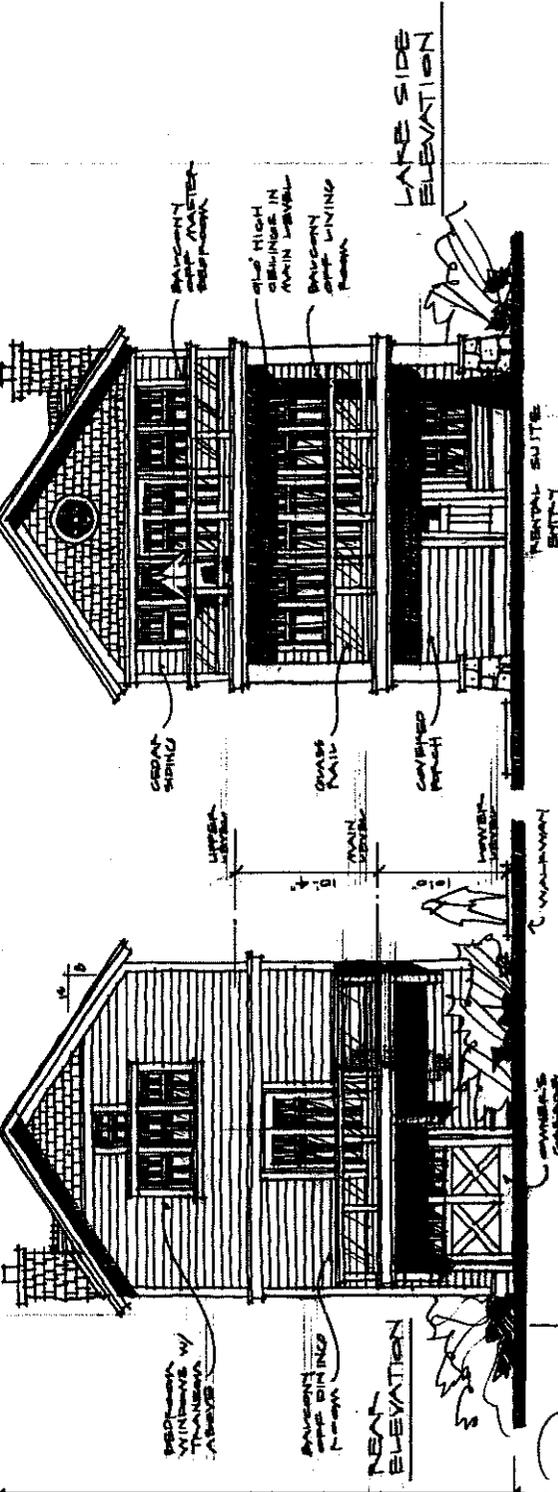
1212 Vermont Dr.
Troy, MI 48064
tel: 231-946-9310
fax: 231-946-8926
www.manspa.com
email: info@manspa.com



SHEET NO. 10
 OF 10
 2010
 PRELIMINARY

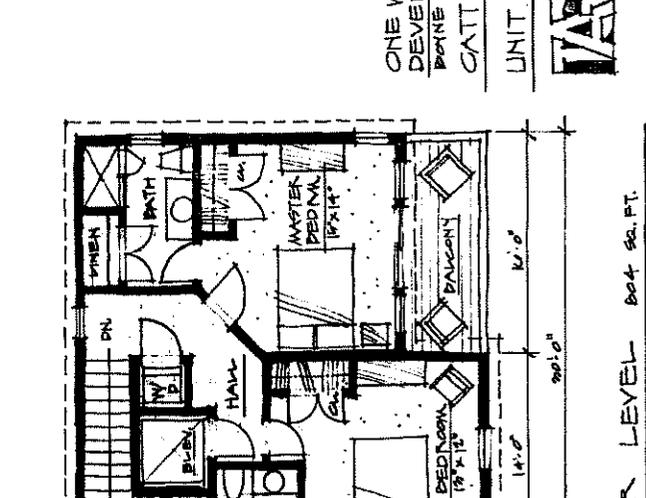
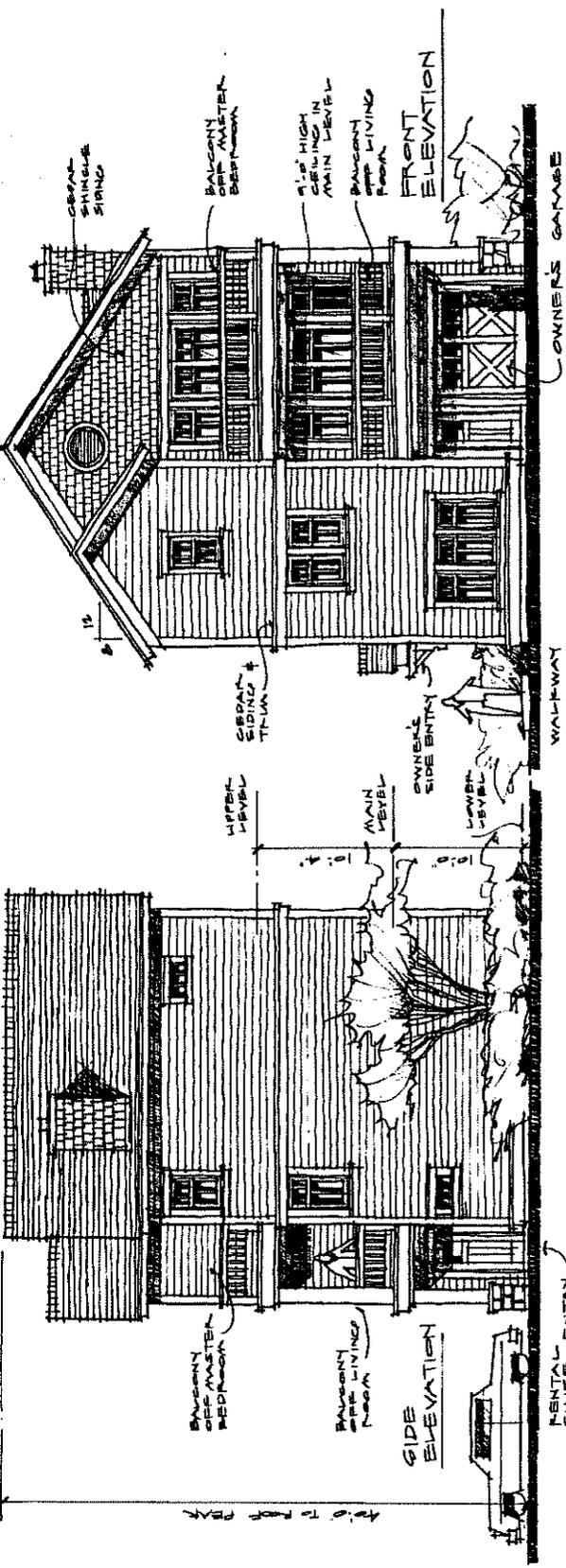
Coff Development
One Water Street
 Site Plan
 Section 35, Town 33 North, Range 6 West
 City of Boyne City, Charlevoix County, Michigan

Mansfield & Associates
 Land Use Consultants
 Planners
 Civil Engineers
 Surveyors
 Testing Services
 1212 Veterans Dr.
 Traverse City, MI 49684
 ph: 231-946-9310
 fax: 231-946-8756
 www.manspa.com
 email: info@manspa.com

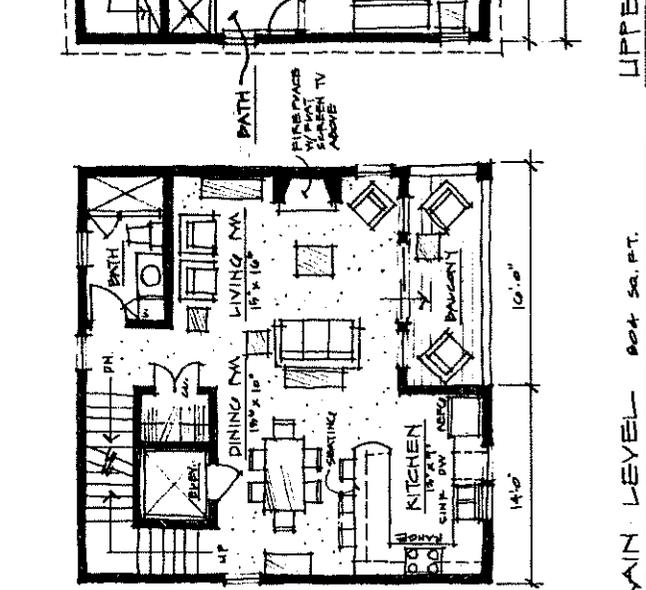


ONE WATER STREET
 DEVELOPMENT
 BAYNE CITY, MI
 CATT DEVELOPMENT
 UNIT A CONCEPT
 THOMPSON ARCHITECTURAL GROUP P/A

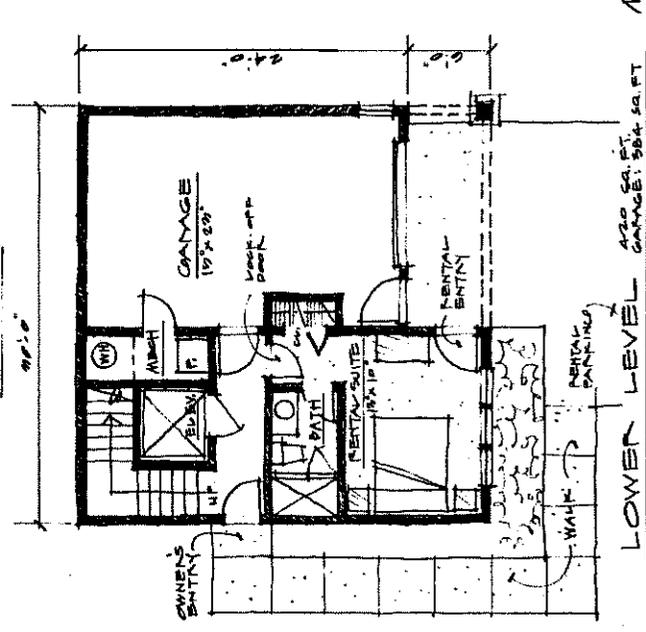
LOWER LEVEL 36'-0" x 36'-0"
 MAIN LEVEL 36'-0" x 36'-0"
 UPPER LEVEL 36'-0" x 36'-0"



UPPER LEVEL 804 SQ. FT.



MAIN LEVEL 804 SQ. FT.



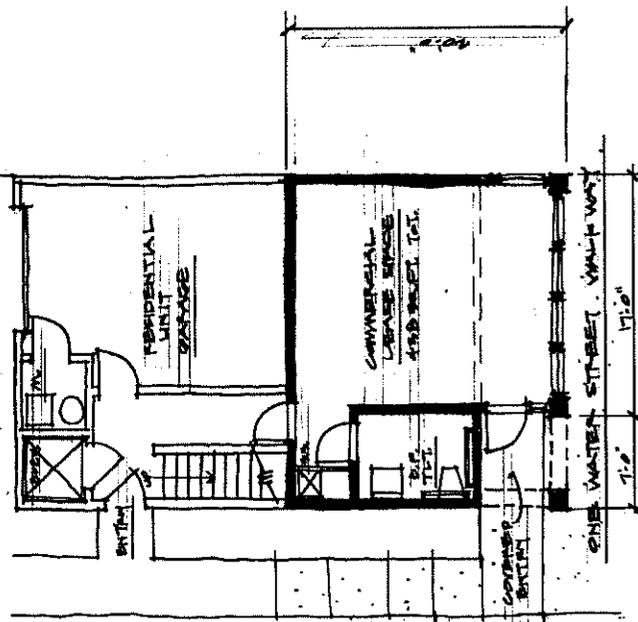
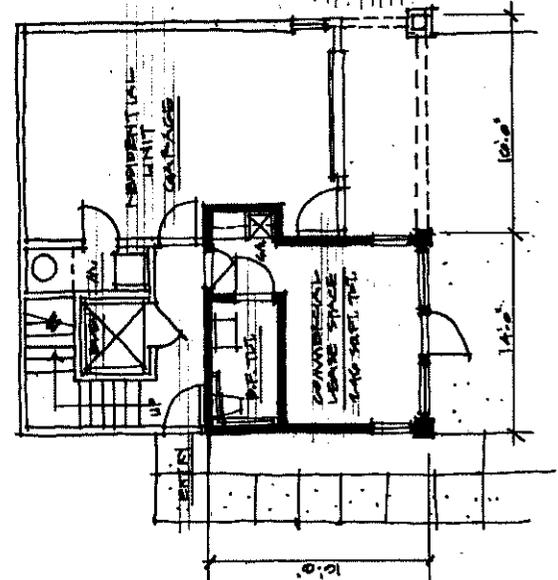
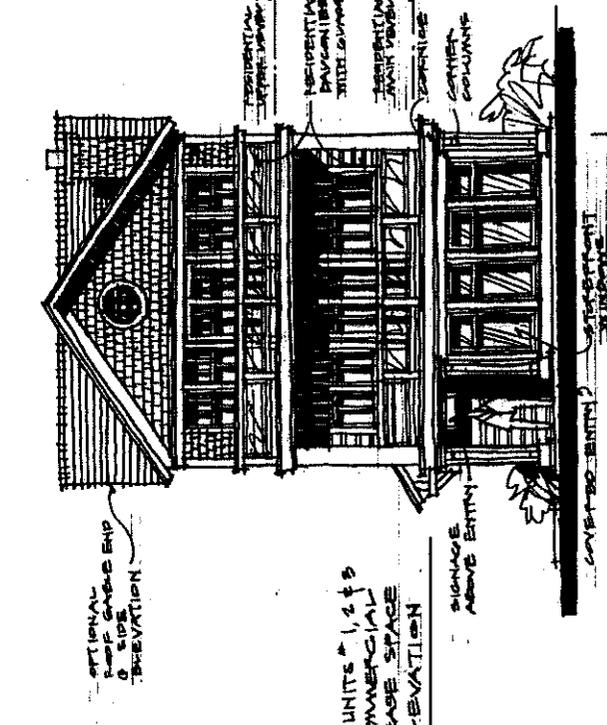
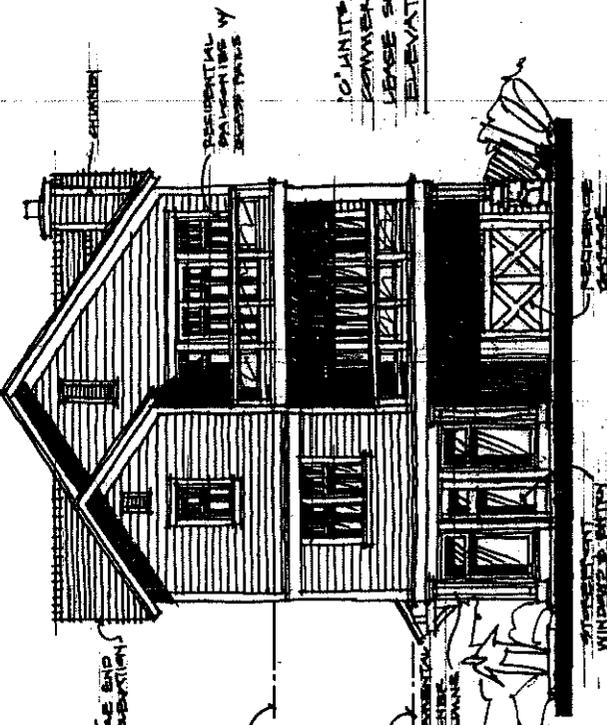
LOWER LEVEL 420 SQ. FT. GARAGE: 504 SQ. FT.

ONE WATER STREET
DEVELOPMENT
BOYNE CITY, MI
CATT DEVELOPMENT

UNIT C CONCEPT



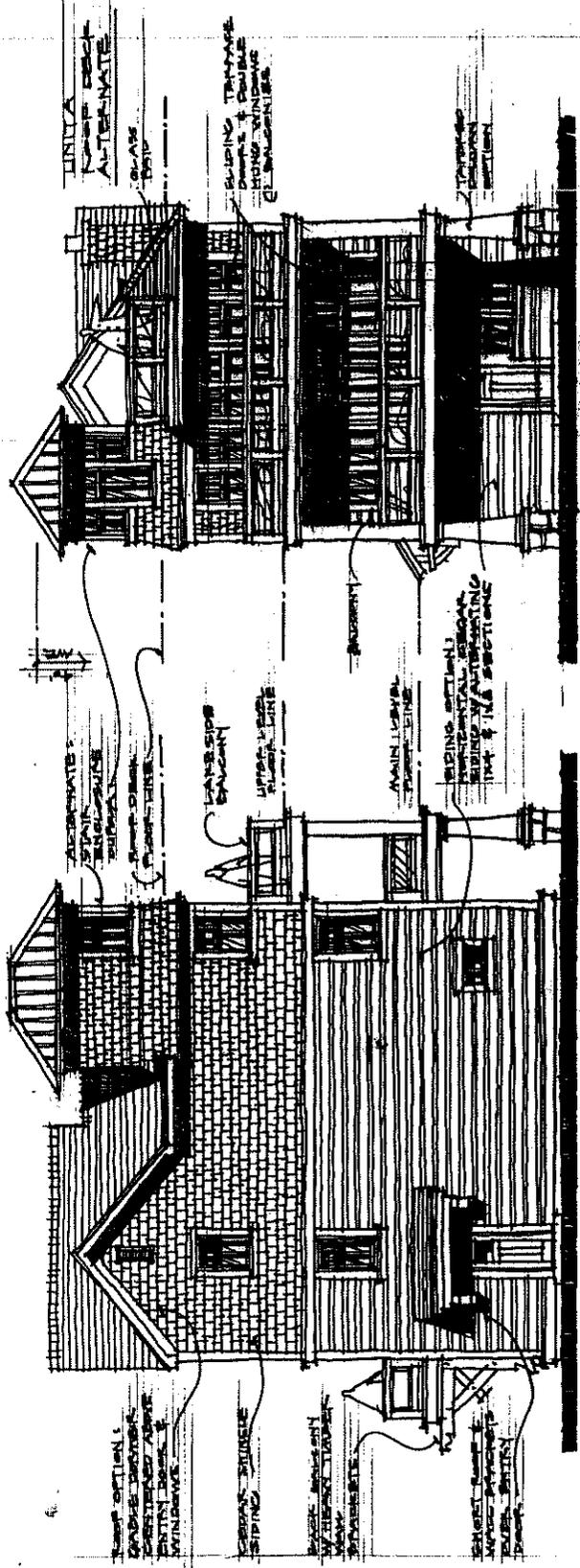
TRAVERSE
ARCHITECTURAL
GROUP 3/16



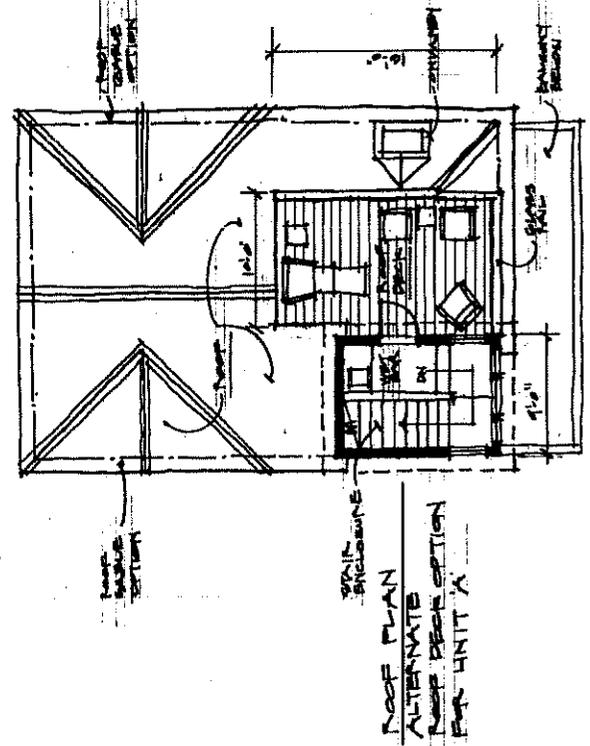
LOWER LEVEL
 FLOOR PLAN
 10 UNITS # 12 & 13
 COMMERCIAL
 LEASE SPACE
 ONE WATER STREET
 DEVELOPMENT
 SPONSOR CITY OF
 GAITHERSBURG
 ARCHITECTURAL
 STUDIO

LOWER LEVEL
 FLOOR PLAN
 10 UNITS # 12 & 13
 COMMERCIAL
 LEASE SPACE





UNIT A LANE SIDE ELEVATION



ONE WATER STREET
 DEVELOPMENT
 BOYNE CITY, MI
 ZATT DEVELOPMENT



THORSE
 ARCHITECTURAL
 GROUP 7/15/12

FACT SHEET

Developer:

Catt Development
Glen Catt
829 W. Main St. Suite C
Gaylord, MI 49735
(989) 732-9722

Planning and Engineering:

Mansfield & Associates, Inc.
Doug Mansfield
1212 Veterans Drive
Traverse City, MI 49684
(231) 946-9310

Architect:

Traverse Architectural Group, LLC
Dave Spala
1222 Veterans Drive
Traverse City, MI, 49684
(231) 946-9940

General Contractor:

Integrity Construction Services
Ed Hunt
829 W. Main Street Suite C
Gaylord, MI 49735
(989) 705-1131

Site Location:

One Water Street
Boyne City, MI 49735

Tax ID:

15-051-445-082-10

Size:

1.91 acres

Zoning:

Currently zoned WMD
Zoned CBD prior to 2009
Master Planned as Downtown Core
Requesting zoning change back to CBD



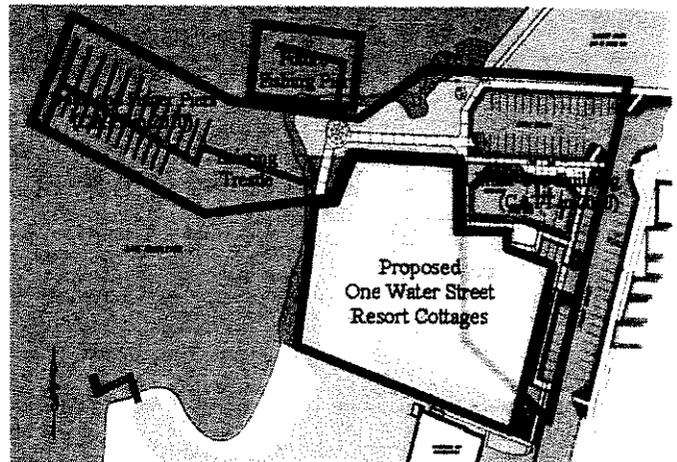
One Water Street Phase I, Completed Multi-Use Building



One Water Street Phase I, Completed Pier and Boat Slips



One Water Street, Aerial View



Proposed Phase II, Completion of One Water Street

ARTICLE II
DISTRICT DESCRIPTIONS AND AMENDMENT PROCEDURES

Section 2.40 Amendment Procedures

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.*

Around 2009, this parcel was re-zoned from CBD to WMD. In order to pursue implementation of the currently proposed ‘Resort Cottage’ site plan submittal for the property, Catt Development is requesting the parcel zoning be reverted back to its original Central Business District designation. The chart below illustrates how the CBD zoning is more appropriate for both the current and proposed uses on the site.

**A Comparison of Allowable Land Uses
Waterfront Marina District / Central Business District**

- Principal Permitted Uses
- Conditional Uses

WMD	CBD		
<input checked="" type="checkbox"/>		private marina	existing pier
<input checked="" type="checkbox"/>		transient marina	existing pier
	<input checked="" type="checkbox"/>	quasi-public	proposed fishing pier
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	restaurant	existing Café Santé
<input type="checkbox"/>	<input checked="" type="checkbox"/>	mixed-use	existing structure
<input type="checkbox"/>	<input checked="" type="checkbox"/>	retail	existing ice cream shop
<input type="checkbox"/>	<input checked="" type="checkbox"/>	office	existing dental facility headquarters
<input type="checkbox"/>	<input checked="" type="checkbox"/>	hotel / motel	proposed resort cottages motel
	<input checked="" type="checkbox"/>	business	existing real-estate office

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.*

The current WMD zoning does not allow for a ‘resort cottage’ motel use. Obtaining financing for the currently approved hotel use (*or any other attached dwelling use*) is virtually impossible given the current state of the economy. The only reasonable option to finance the completion of this project is to construct individual units. In addition to the benefit of more accessible financing options, the design team also feels that the scale

of clustered individual units will provide a nice contrast to the large multi-family condominiums currently lining the lakefront, while still providing the user density to promote sustainability in the downtown core.

- 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.*

“Nurturing Boyne City’s human scale, social character, and sense of place while encouraging future growth and development is the primary objective of the City through the implementation of this Plan.” *–Boyne City Master Plan*



**CITY OF BOYNE CITY
FUTURE LAND USE MAP
DRAFT
01/04/07**



Future Land Use

	DOWNTOWN CORE
	GENERAL COMMERCIAL
	PROFESSIONAL OFFICE
	NEIGHBORHOOD COMMERCIAL
	MEDICAL
	RESIDENTIAL OPEN SPACE
	LARGE LOT RESIDENTIAL
	TRADITIONAL NEIGHBORHOOD
	MULTIPLE FAMILY
	SENIOR CAMPUS
	HISTORICAL MIXED USE
	INDUSTRIAL
	COMMUNITY SERVICE
	MARINA
	COMMUNITY RECREATION

The proposed Resort Cottages complement the intent of the Comprehensive Plan and will add a new and unique element to the Downtown Core. The design team feels that the scale of the proposed clustered individual motel cottage units will provide a nice contrast to the large multi-family condominiums currently lining the lakefront. The site plan provides an aesthetically interesting use of building, landscape, and paving materials, resulting in a pleasantly soft urban pedestrian scale.

- 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.*

The proposed zoning change is compatible with established land use patterns,

surrounding uses, and surrounding zoning. The completed storefront commercial building is an extension of the downtown uses to the east, while the proposed resort cottage use is an extension of the existing lodging uses to the south. The completed multi-use building (containing Santé Restaurant, shops and offices), marina, and streetscape improvements are a great addition to the downtown area, extending the main street shopping district right down to the lakefront. The proposed resort cottages will complete the project, offering a new type of lodging option along the waterfront. The proposed cottages site plan (30-units) is slightly less dense than the previously approved hotel site plan (37-units), but the ratio of parking provided will remain similar. There are no environmental impacts to the site, as the site has been previously disturbed.

5. *All the potential uses allowed in the proposed zoning district are compatible with the site's physical, geological, hydrological and other environmental features.*

All of the potential uses within the CBD are compatible with the sites environmental features. The proposed cottage site plan complies with, and exceeds all setback requirements of waterfront property and the Central Business District. Building foundations will be engineered specifically for the soils along the lakefront.

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.*

The project site is less than two acres in size and is the last infill project along the lakefront in the core downtown area. The proposed resort cottage use is similar in use and density to the hotel use approved on the site by the Planning Commission in 2009. Although this project is small in size, and will not impact the local utilities, environment, traffic, etc., the design team is confident that this project will have a positive impact on the character of Boyne City's downtown area. Similar cottage developments have been very successful in other Michigan resort communities such as Crystal Mountain Resort (see attached exhibit photos) and Harbor Springs.

7. *The rezoning would constitute and create an isolated and unplanned "spot zone" granting a special privilege to one landowner not available to others.*

This request does not create a "spot zone." Similar and compatible lodging and commercial uses exist and/or are allowed within the surrounding downtown core area.

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.*

The zoning change from WMD to CBD will result in a reduction of yard setback requirements. However, the proposed resort cottage plan maintains the larger yard setbacks of the WMD.

9. *There has been a change of conditions in the area supporting the proposed rezoning.*

There has been no change in area conditions to prompt this rezoning request. The catalyst for this site plan change from large hotel/condominium to individual free standing cottage units stems from current economic down swing. The hotel concept is no longer economically viable, as banks are no longer financing such large development projects.

10. *Adequate sites are neither properly zoned nor available elsewhere to accommodate the proposed uses permitted in the requested zoning district.*

Although hotel lodging is currently approved on the site, the site is not properly zoned to accommodate the proposed cottage (motel type) lodging use. The pending approval and construction of the motel component will complete the build-out of this parcel's multiple uses.

11. *There was a mistake in the original zoning classification.*

Prior to 2009, this site was rezoned from CBD to WMD. The request to change the zoning back to CBD is in keeping with the Master Planned Core Downtown Area designation for the parcel, and is more reflective of the existing and proposed uses on the site.

12. *The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.*

There have been no requests to rezone this parcel within the past one year.

Section 2.70 Conditional Uses in Districts

E. Standards of Approval. For the purpose of this Ordinance these uses shall be known as conditional uses as set forth in the individual district and shall be allowed within that particular district subject to the development requirements for the district, provided the Planning Commission finds the conditional use affirmatively meets the following criteria deemed applicable in each case:

- 1. The conditional use will promote the use of land in a socially and economically desirable manner for persons who will use the proposed land use or activity, form landowners and residents who are adjacent thereto and for the City as a whole;*

The proposed clustered cottage development will provide an aesthetically pleasing human scale of structures, resulting in a pleasantly soft urban feel reminiscent of quaint motor courts of the past and taking architectural cues from the historic neighborhood homes of Boyne City. This project will provide a unique tourist lodging alternative along the waterfront in Boyne City. Each Resort Cottage will be sustainable onto itself in terms of economic viability including ground floor leasable space for complementary and compatible uses. The development will be conveyed through a condominium which will set standards of maintenance and operations. The City can be assured that the resort cottage development will be executed to the high degree of quality and commitment that is the standard of Catt Development projects.

- 2. The conditional use is compatible and in accordance with the goals, objectives and policies of the City's Comprehensive Plan;*

"Nurturing Boyne City's human scale, social character, and sense of place while encouraging future growth and development is the primary objective of the City through the implementation of this Plan." —*Boyne City Master Plan*

The design team feels that the scale of the proposed clustered individual motel cottage units will provide a nice contrast to the large multi-family condominiums currently lining the lakefront. The site plan provides an aesthetically interesting use of building, landscape, and paving materials, resulting in a pleasantly soft urban pedestrian scale.

- 3. The conditional use is necessary for the public convenience at that location;*

The conditional use of resort cottages will provide the public with the convenience of additional lodging alternatives within the downtown area. The freestanding structures each have their own garage, designated driveway parking spaces, a separate convertible commercial use area on the ground level, and a fully equipped vacation rental home on the second and third levels, with potential for a roof top patio.

- 4. The conditional use is compatible with adjacent uses of land, and can be constructed, operated and maintained so as to continue to be compatible with the existing or*

intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed;

The proposed motel use is a principle permitted use within the CBD. The proposed use is similar in nature to the residential and lodging uses directly adjacent to the south. Operation of the use will be monitored by off-site management located in Boyne City. The architectural style and elements of the cottages were inspired by Boyne City's historic neighborhoods. The resort cottage concept is a modern tribute to the lakefront cottage resorts of the past, honoring the character and heritage of Boyne City, and that nostalgic 'Up North' feeling.

5. *The conditional use shall be of such location, size and character, that it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts;*

The design team feels that the cottage setting of the proposed structures will positively contribute to the character of Boyne City's downtown. The level of detail in the buildings, paving, landscape, the scale and massing of the buildings will create a human scale honoring the architectural heritage of Boyne City's historic neighborhoods.

6. *The conditional use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;*

The proposed motel use is a principle permitted use within the CBD. The proposed use is similar in nature to the residential and lodging uses directly adjacent to the south. Operation of the use will be monitored by off-site management located in Boyne City.

7. *The conditional use can be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area;*

The proposed motel use is 7 units less dense than the previously approved hotel and condominium use. Each freestanding unit will be individually served by public and private utilities, and will be equipped with fire suppression systems.

8. *The conditional use will not cause injury to the value of other property in the neighborhood in which it is to be located;*

The proposed motel and potential for complimentary compatible uses are a principal permitted use within the CBD. This lodging component would complete the One Water Street mixed-use development project initiated by Catt Development in 2009.

9. *The location and use and assembly of persons in connection with the proposed conditional use will not be hazardous to the district in which the use is located, hazardous to a specific use or life and property within the district, or be incongruous therewith or in conflict with the normal traffic of the district.*

The density and intensity of use proposed is appropriate to the CDB zoning district. The mixed-uses proposed at One Water Street will lend to the sustainability and vibrancy of Boyne City's downtown by offering a variety of services and activities contributing to the '24-hour life' of the downtown.

- 10. The conditional use will protect the natural environment, help conserve natural resources and energy, and will not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to the natural environment, public health, safety or welfare by reason of excessive production of traffic, noise, smoke, odors or other such nuisance;*

The proposed use is appropriate to the Downtown Core area in both scale and density, and will not produce noise, smoke, odors or any other conditions that would be to the detriment of the environment or public welfare.

- 11. The vehicular circulation for the proposed conditional use will be in the best interest of the public health, safety and welfare in relationship to egress/ingress to the site, vehicular turning movements related to street intersections and street gradient, site distance and potential hazards to the normal flow of traffic; and*

The proposed site plan will maintain the existing driveways as well as the 16 existing on-street parking spaces along Front Street and should therefore not impact vehicular circulation, turning movements, or ingress/egress onto public streets. Circulation within the site is designed to regulatory standards for dimensions and gradients.

Each individual structure has one garage parking space and designated driveway parking spaces. Thirty additional parking spaces within the site are shared by the mixed-uses of the One Water Street development.

- 12. The conditional use is within the provisions of uses requiring conditional use approval as set forth in the various zoning districts herein, is in harmony with the purposes and conforms to the applicable regulations of the zoning district in which it is to be located, and the proposed site layout is in compliance with the general standards of Article XLX, regarding site development and shall insure that:*

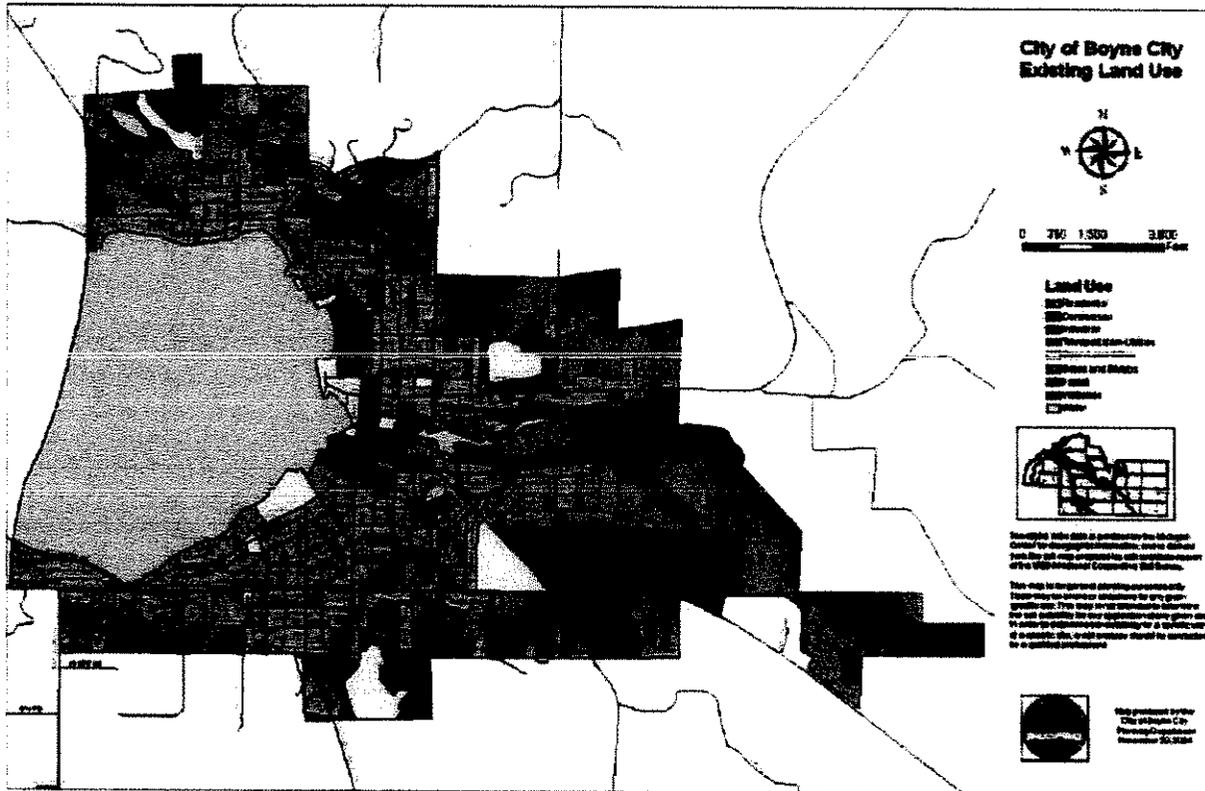
- a. The use and associated activities on the property are so located as not to hinder the projected development of the adjacent properties or impair the existing uses of adjacent lands. This shall include all uses associated with the particular use such as parking, lighting, display signs, etc.*

The proposed uses at One Water Street have been designed in accordance to City of Boyne City, State and other applicable development standards. The proposed development is an infill of the last remaining vacant land in the downtown core area. The uses proposed are similar and compatible with surrounding uses and will not impair existing uses of adjacent land. (See attached site plan)

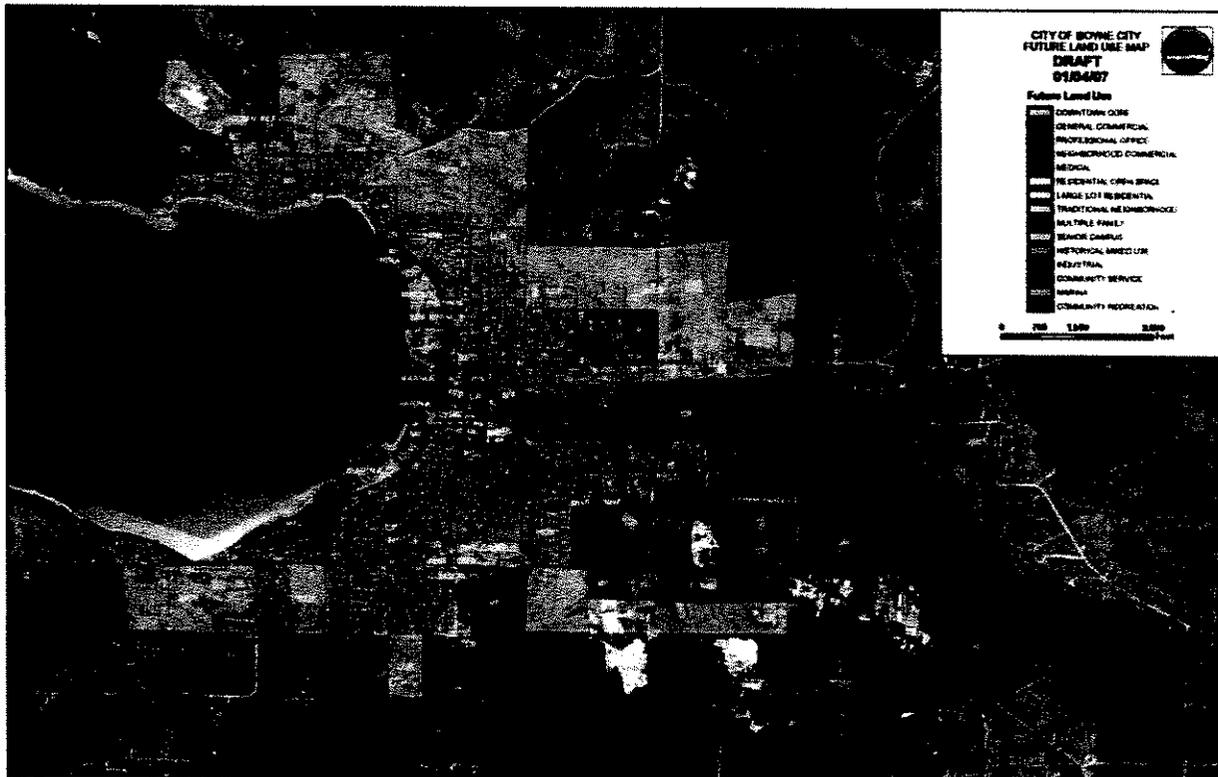
- b. Sufficient landscaping, fencing, walls and other means of buffering are provided to insure that operation of the use will not be objectionable to nearby uses or dwellings by reason of noise, fumes or flash of lights nor interfere with an adequate supply of light and air, nor increase the danger of fire or otherwise create the potential of endangering the public safety.*

The proposed uses at One Water Street have been designed in accordance to City of Boyne City, State and other applicable development standards. The uses proposed are similar and compatible with surrounding uses and will not impair existing uses of adjacent land. The structures will be protected by individual NFPA 13R fire suppression systems, and served with extensions of municipal sanitary sewer and water systems, private roads and other public and private utilities. (See attached site plan)

No conditional use approval shall be granted by the Planning Commission unless it finds the conditional use affirmatively meets the criteria listed herein which are deemed applicable in each case.



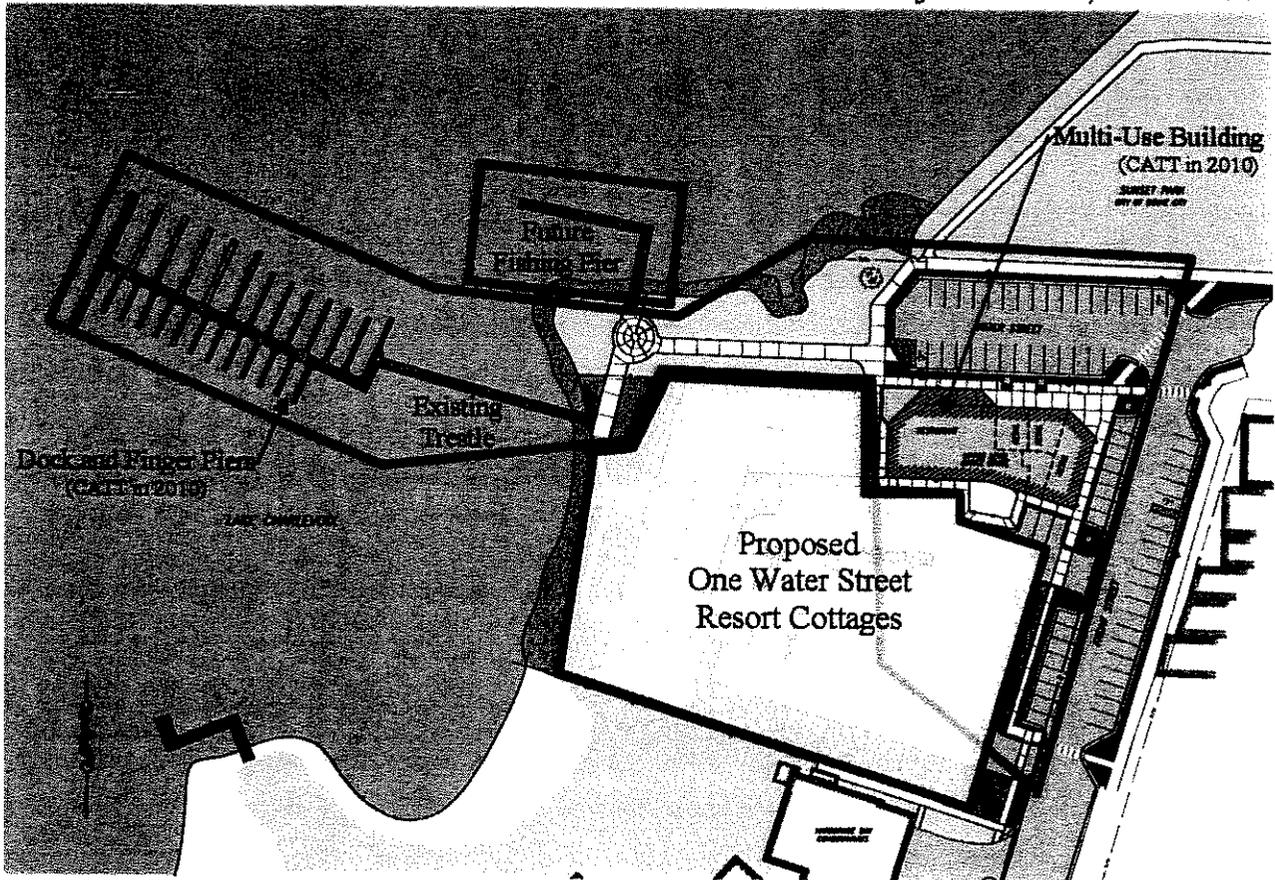
Existing Land Use Map



Future land Use Map

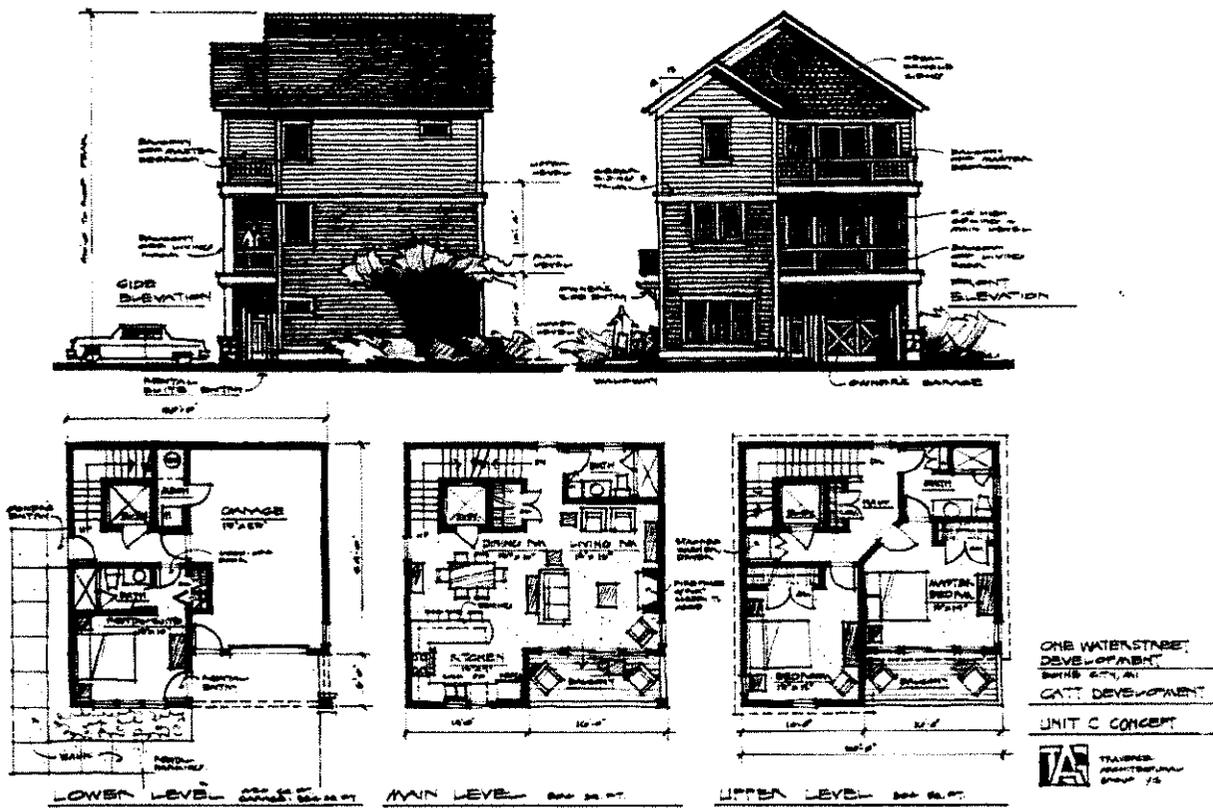
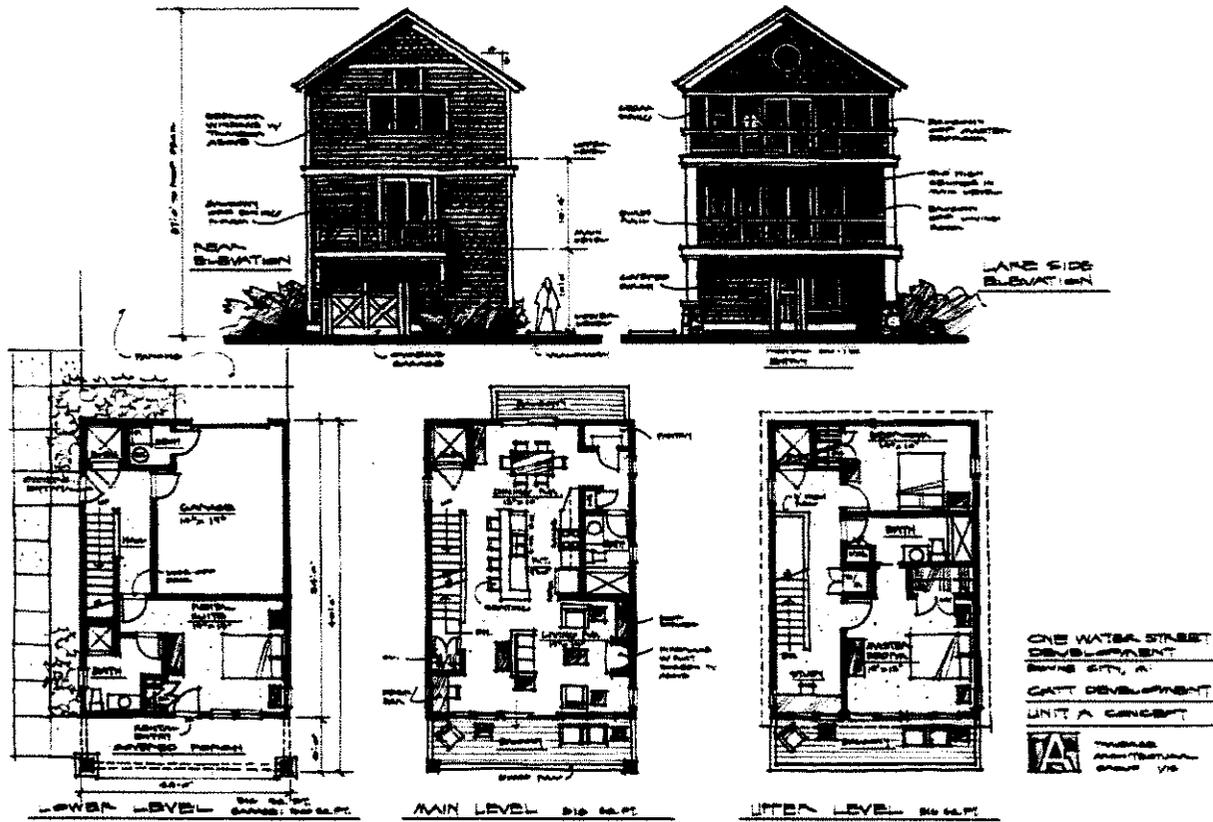


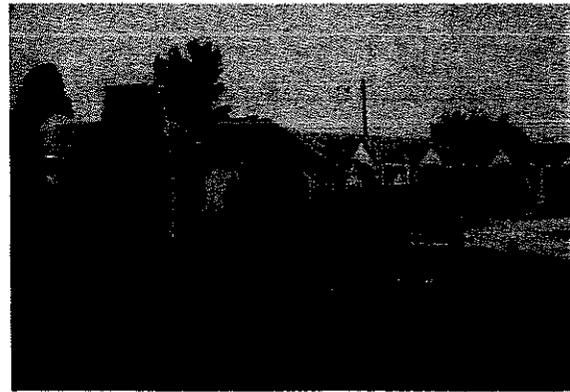
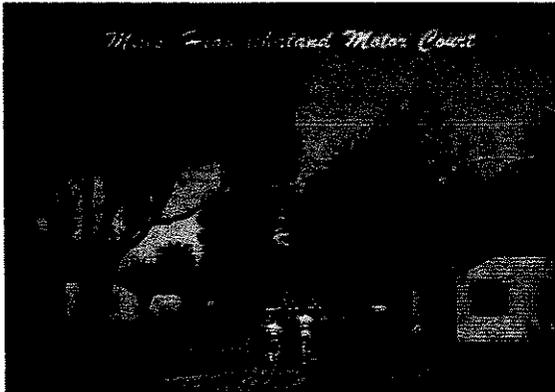
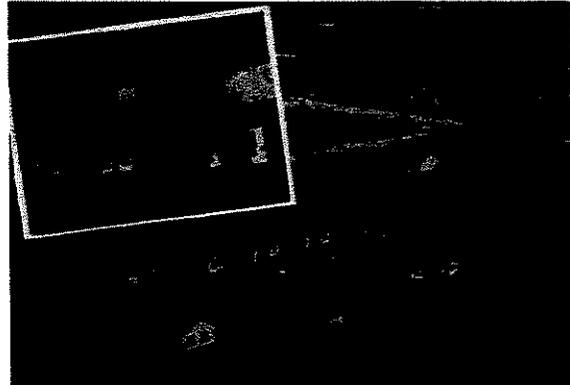
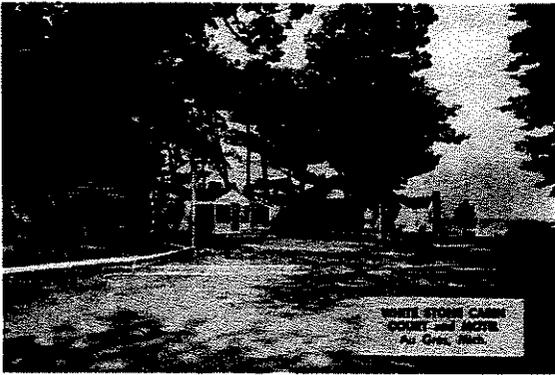
Project Location, Aerial View



One Water Street, Proposed Phase II Project Area

PROPOSED ARCHITECTURE

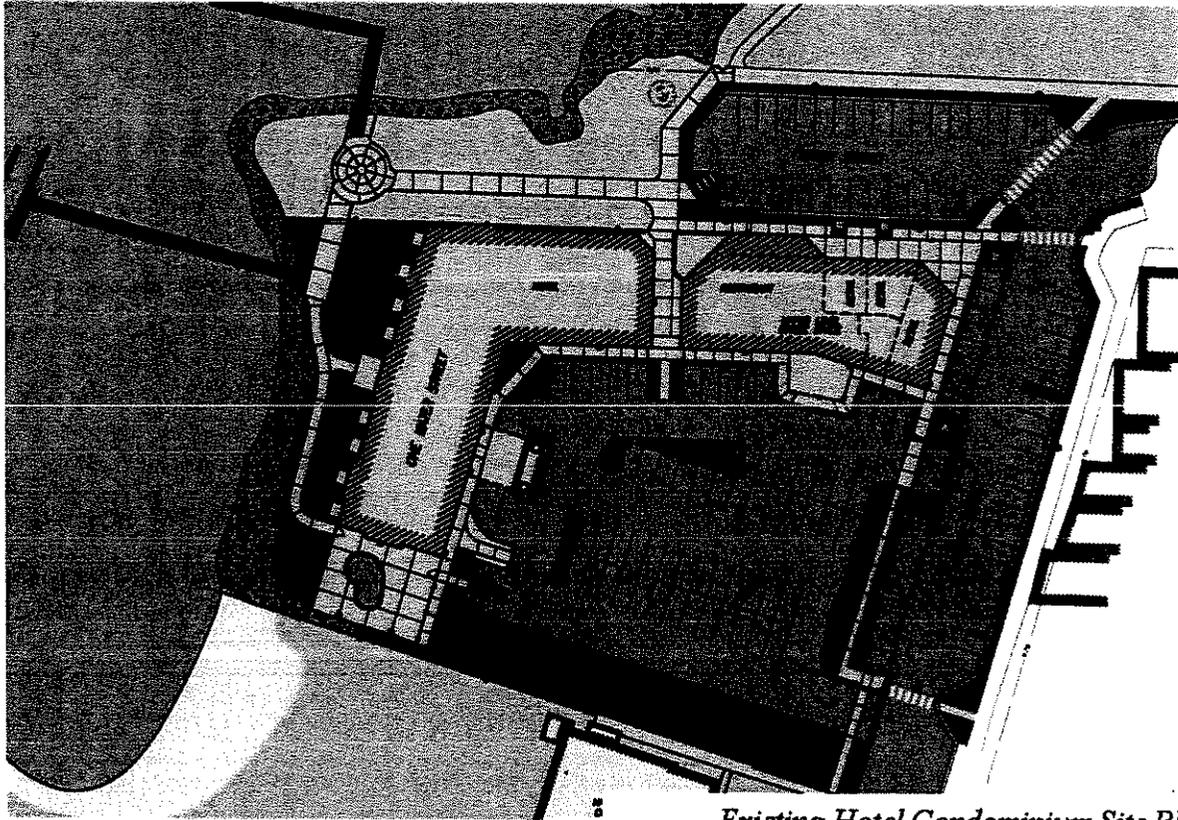




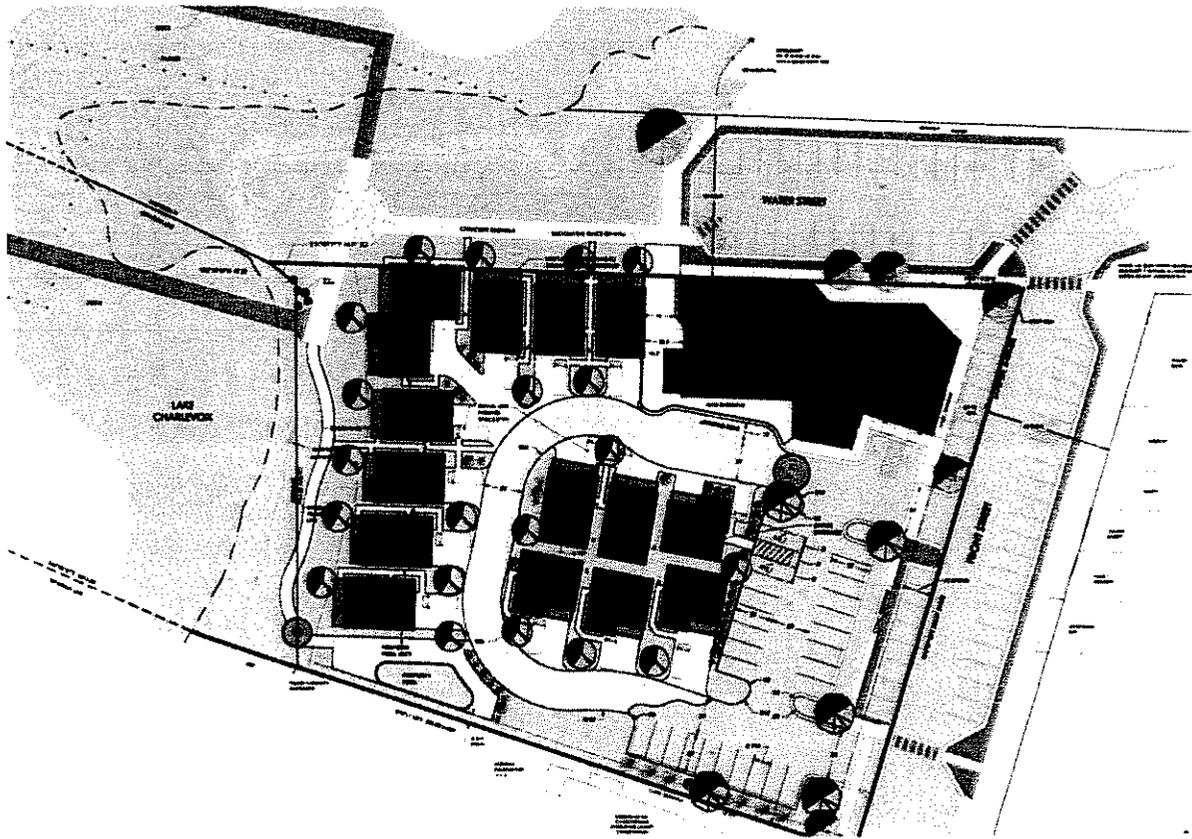
Historic Resort Cottages



Modern Resort Cottages



Existing Hotel Condominium Site Plan



Proposed Resort Cottage Site Plan

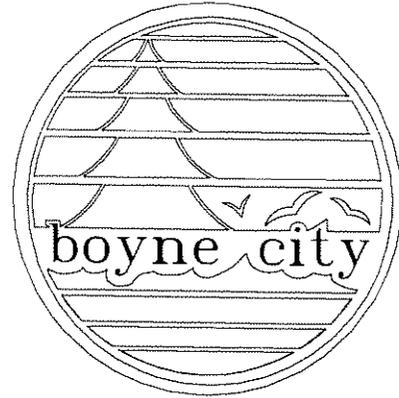
CITY OF BOYNE CITY

To: Chair Tom Neidhamer and fellow Planning Commissioners

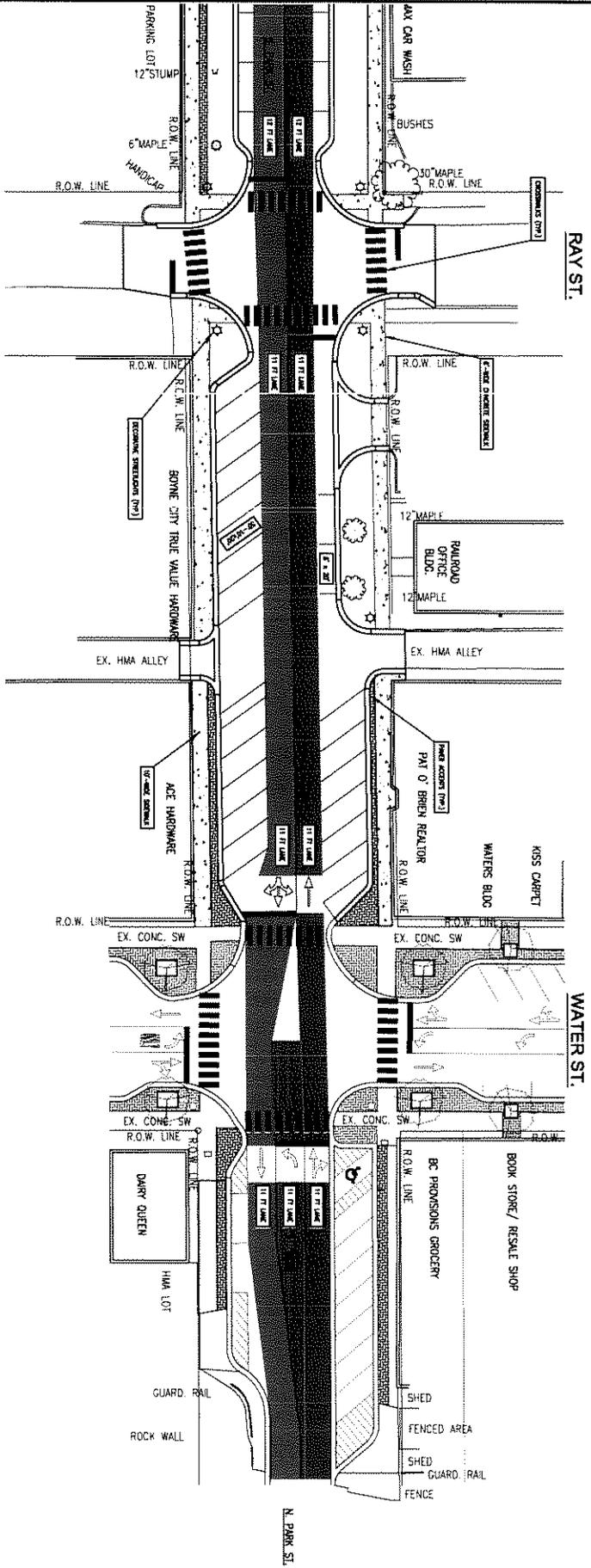
From: Scott McPherson, Planning Director

Date: April 16, 2012

Subject: Park Street Reconstruction



The City has received design proposals from C2AE for the reconstruction of Park Street. The differences and features of the each design will be review at the meeting. The proposed designs are being submitted to the Planning Commission for review and comment.



SECTION 4.1: RAY ST. TO WATER ST.

OPTION 4: INFORMATION

1. Option includes THRU and LEFT/THRU/RIGHT TURN lanes (no LEFT turn lanes).
2. Option will not require removal and replacement of the existing streetcape and curbs at Water/S. Park.
3. Option has a large offset for Northbound THRU traffic because it lines up with the Southbound LEFT turn lane. This creates an odd visual for drivers.
4. Option generally has 11'-wide lane widths.
5. Option changes the parking configuration to angled on both sides, with angled parking on the northbound side.
6. Option has angled parking with limited backup space which will encroach on the opposing traffic (same as the existing layout).

DATE: 03/10/2014
 PROJECT: S. PARK ST. WATER ST. PROJECT SECTIONS
 OPTION 4

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	03/10/2014
2	ISSUED FOR PERMIT	03/10/2014
3	ISSUED FOR PERMIT	03/10/2014
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S. PARK ST.
 WATER ST. TO PINE ST.
 PROJECT SECTIONS
 OPTION 4

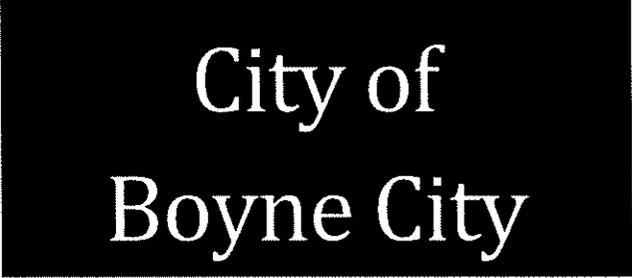
CITY OF BOYNE CITY
 S. PARK STREET PROJECT
 CDBG D.I.G. PROJECT LIMITS
 CHARLEVOIX COUNTY, MICHIGAN



1000 Lakeshore Drive
 Boyne City, MI 49716
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phaver@boynecity.com

The logo for the City of Boyne City, featuring the text "City of Boyne City" in a white serif font centered on a black rectangular background.

City of Boyne City

Memo

To: Chair Tom Neidhamer and fellow Planning Commissioners

From: Pat Haver, Planning Assistant *ph*

Date: April 11, 2012

Re: Planning Commission Reappointment Recommendations

On May 31 of this year, the three year appointments of George Ellwanger, Chris Frasz and Tom Neidhamer are due to expire.

After the board receives affirmation from each of the members that they wish to continue to serve, a motion to recommend their re-appointment to the City Commission will need to be made.

April 9, 2012

Tom Neidhamer, Chair
430 High Street
Boyne City, MI 49712

Dear Tom:

This letter is to let you, as Planning Commission Chairperson, know about a new opportunity for one or more members of the Boyne City Planning Commission to be part of a short-term workgroup exploring water quality protection through planning and zoning.

A little background...

During early 2011 and 2012 MSU Extension conducted a mail survey of local officials in the Lake Charlevoix Watershed. You may remember the surveys – they had a color map of the watershed on the cover and a series of questions about your attitudes concerning Lake Charlevoix water quality, and planning and zoning practices in your unit of government. Those surveys were supported through a grant to the Tip of the Mitt Watershed Council from the Michigan Department of Environmental Quality.

The results of the surveys revealed that local elected and appointed officials strongly believed in the importance of Lake Charlevoix quality for economic development and quality of life. Local officials also indicated that they would support changes to their plan and ordinance to improve water quality.

A couple of results led the project team to think about additional ways to support local units. First, local officials varied widely in their awareness and use of planning and zoning practices to improve water quality. **Second, one of the practices respondents were least familiar with was coordinating water quality zoning provisions with neighboring communities.**

Another product from the grant was a Charlevoix County Local Ordinance Gaps Analysis guide that was distributed to local units several months ago.

This workgroup...

We were able to secure an extension of the original DEQ grant to do some additional work with local units of government based on results from the survey, especially providing tools for communities to coordinate water quality planning and zoning with neighboring communities, and the gaps analysis guide.



MSU EXTENSION

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Boyne City, MI 49712

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Our goal is to establish a short-term workgroup including one or two planning commission members from each township and city in the eastern side of the watershed (a similar process already occurred on the western side of the lake in 2008) to do the following activities.

1. Convene at least several times between May and September
2. Review water quality science and protection strategies
3. Review area township and city master plans and zoning ordinances using the Gaps Analysis as a guide.
4. Identify opportunities for greater coordination and consistency between ordinances
5. Review specific possible plan and ordinance language.

Technical and staff support from MSU Extension and the Tip of the Mitt Watershed Council will be provided to the team.

The product will be a final report and specific ordinance and plan language suggested by the team. Each township and city will receive the final report to use a tool in their own deliberations.

This project complements, but is **not the same** as the current effort to enact consistent stormwater ordinances throughout the county.

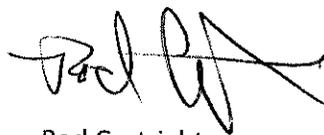
Our timeline is short – we must complete and distribute the final workgroup report before the end of September 2012, when our grant ends. One of our project team members will be in contact with you very soon to discuss this project and your community's participation.

We hope you will be able to take advantage of this opportunity.

Sincerely,



Dean Solomon
Senior Extension Educator



Rod Cortright
County Extension Director Emeritus

cc: ~~Township Supervisor~~

City Planner