

**Meeting of
February 16, 2015**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, February 16, 2015 at 5:00 pm.

Call to Order

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

Roll Call

Present: Jason Biskner (arrived at 5:01 pm) George Ellwanger, Jim Kozlowski, Jane MacKenzie, Tom Neidhamer, Aaron Place and Joe St. Dennis
Absent: Chris Frasz and Lori Meeder

Excused Absence(s)

****MOTION**

2015-2-16-02

Neidhamer moved, St. Dennis seconded, PASSED UNANIMOUSLY, a motion to excuse the absence of Chris Frasz and Lori Meeder

Meeting Attendance

City Officials/Staff: Planning Director Scott McPherson, City Manager Michael Cain, Mayor Ron Grunch and Recording Secretary Pat Haver
Public Present: Fourteen

Consent Agenda

****MOTION**

2015-2-16-03

Ellwanger moved, Place seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda; approval of the Planning Commission minutes from January 19, 2015 as presented.

**Citizen comments on
Non-Agenda Items**

John McClorey asked the board for an addition to the agenda to discuss a pre application review for plans on his property at 114 State St. Chair MacKenzie added to the agenda as item 7E

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

The city was recently awarded a Placeplan grant to look at ways to connect city parks to one another and a group held the initial meeting today and will be organizing a steering committee. If anyone is interested in serving on this committee, let city staff know.

Unfinished Business

None

New Business

**Public Hearing for Catt
Development for
Conditional Rezoning and
Conditional Use permit
for SoBo Redevelopment
Plan for 1 Water Street
and 202 Lake Street and
210 Front Street**

Planning Director McPherson reviewed the reasons for the public hearing. There will be a couple different aspects to be reviewed and discussed tonight. The first is a conditional rezoning request for One Water Street; changes in the previously approved site plan to eliminate 4 of the resort interior cottages and replace with parking. A conditional use public hearing for the drive thru bank proposed on the Lake Street property. That language is still in the adoption process, which is going to the City Commission for the second reading next week, so this board can only review without taking formal action, and last the review of the development plan for the entire site.

Doug Mansfield: Mansfield Land Use Consultants - In the agenda packet is the application for the SoBo Redevelopment site plan which includes the One Water Street project and the Lake/Front Street project. Mansfield went through this document with the board and the audience by the way of slides discussing the many aspects of the combined project. Some of the requested changes to the One Water Street project are to remove 4 of the interior cottages and replace with expanded parking, change the most southern end unit from a duplex to free standing units. This will move the southern most point back about three feet. The view corridor

would be impacted slightly, however, with the removal of the four interior cottages; the most eastern portion opens up. Some of the items for the Lake/Front Street project will be the old bus garage will remain as one level due to being on the historic register. This means that architectural features the building current has must remain and will be built upon. The remaining three story structure will house the 7 Monk tap room on one end, a bank with the drive thru on the other end, available retail space in the middle, along with the entrance and storage for the residences on the second and third floors. A roof top deck is being proposed for all of the tenants to use, and all of the mechanical features will be secured. With the changes to the One Water Street project and the increase in the parking which will partially be used for tenants of the new structure, and with all of the available parking being built into the new project, they will be 16 – 17 parking spaces short of the requirements, however, are hoping to take advantage of the shared parking and will be formally requesting the 20% reduction in required spaces as “shared” spaces. The board had questions about the view corridor, and was directed to the staff report that shows the current and proposed corridor which will increase slightly. Questions were raised about a public sidewalk along the water on the One Water project, and were reminded that when the project was originally approved, the stipulation agreed upon by the city and Catt Development was that the dock all the way to the end would remain open to the public and there would not be a public sidewalk along the lake front.

Public Hearing opened at 5:30 pm

Hugh Conklin: Resident - What an overwhelming good thing for the community, as I have not been able to think of what could be done with the Lake Front mall when I was working with the Main Street. Flexibility in parking between the two projects could be important to the community with the possibility of further commercial development in the area. I appreciate the effort being made to save the old school bus garage historically, and can't thank the development team enough for the work that has been done and continues to be done.

Jeff Wellman: Re/Max - Working across from this building and seeing it struggle for the past 20 years, this project is refreshing and as the SoBo area has also struggled in getting people down into the area, this project will get them there.

Ward Collins: Citizen and Boyne Arts Collective board member - This project is a phenomenal improvement to the community and is a great addition to this area, which will bring life back to this area of the city.

Jim Baumann: 1119 West St. - I agree with what others have said that end of town has suffered badly; and we do have a parking problem in this area, we have a lot of open spaces, because no one goes to that area. The caliber of the businesses that will be added and having affordable housing downtown is something that we have tried to get for a long time.

Board Discussion

The board had questions about the materials to be used in the building. These items will be going to the Main Street Design committee for review and recommendations also. At an earlier meeting, balconies were discussed for the individual apartments, these will not be built, however, a roof top deck is being proposed that all of the tenants will be able to use. This facility will have a building manager who would be responsible for keeping a schedule of use. The bricks will match as much as possible, and the false window in the drive thru is a design element, because it must remain as open as possible for ventilation. There will not be a loading dock for the tap room, and the dumpsters will be placed so they will

have parking spaces in front so delivers and emptying the dumpster should be coordinated in the mornings. The curb cut and sidewalks will need to be beefed up in this area, and signs placed for no parking between 5 and 7 am. The pedestrian walkways will have a different finish to them, so that people will know that is the area to be used. The residential structure will have entrances on both sides, a main hallway down the middle which has storage planned on the main floor after earlier suggestions for bikes, kayaks and other items. Between both plans, assigned/dedicated parking spaces were identified for the new development. Planning Director McPherson was asked while prepping the staff report if any "red flags" were noted in response to height and setback of the buildings. Nothing was noted. The requested split of the duplex into (2) separate units would shift the southern most building slightly into the view corridor, but with the elimination of the interior units, the eastern side would have expanded frontage and would be a wash, as it doesn't affect the view shed outcome. Drive thru aspect will be looked at later; the Street Superintendent did have a couple of comments with respect to materials, those to be reviewed at the final plan review. 39 new parking spaces have been created, 20 of those will be dedicated to the new apartment structures.

Planning Director McPherson began his presentation of the staff report for One Water Street project. There is no change in use; just eliminating 4 interior cottages. Parking uses removed for the cottages, but will be added for the Lake/Front Street development project.

As the proposed request is for a change in a mapped district the Planning Commission should review the criteria of section 2.50(C) and use it as a guide to make its recommendation.

- 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. **N/A**
 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. **Applies**
 3. 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. **SoBo Redevelopment Plan adopted after the Comprehensive Plan and is consistent with planning efforts in the area.**
 4. 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. **Applies**
 5. All the potential uses allowed in the proposed zoning district are compatible with the site's physical, geological, hydrological and other environmental features. **Yes**
 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. *N/A*

7. The rezoning would constitute and create an isolated and unplanned "spot zone" granting a special privilege to one landowner not available to others. *N/A*
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. *N/A Boundaries will not change*
9. There has been a change of conditions in the area supporting the proposed rezoning. *True*
10. Adequate sites are neither properly zoned nor available elsewhere to accommodate the proposed uses permitted in the requested zoning district. *N/A*
11. There was a mistake in the original zoning classification. *No*
12. The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided. *No*

Based on the board discussion and findings of fact under 2.50 (C) **motion by Ellwanger, seconded by Place** to recommend the conditional re-zoning change request based on items 2, 3, 4, 5, 8, & 9 to be submitted to the City Commission for a first reading at their next available meeting.

****MOTION**

2015-2-16-7A.1

Roll Call:

Aye: Biskner, Ellwanger, Kozlowski, MacKenzie, Neidhamer, Place, and St. Dennis

Nay: None

Absent: Frasz and Meeder

Motion Carries

Drive Thru conditional use

The board now directed their attention to the conditional use findings for the SoBo Redevelopment Bank Drive Through; 2.70 Standards of Approval. This will be for the use only and not design. Their findings for this section are attached as Appendix A. After board discussion **motion by St. Dennis, seconded by Ellwanger** the recommendation if the ordinance amendment is approved by the City Commission; the preliminary approval of this drive thru plan. Upon the final effective date of the ordinance; the final approval of the Conditional use and Development plan proposed drive though is required by this commission.

****MOTION**

2015-2-16-7A. 2

Roll Call:

Aye: Biskner, Ellwanger, Kozlowski, MacKenzie, Neidhamer, Place, and St. Dennis

Nay: None

Absent: Frasz and Meeder

Motion Carries

The board now began their review of Article 19 – Development Requirements, specifically looking at Section 19.40 Development Plan Approval Criteria. Per staff, instead of duplicating documents, as the applicant did an excellent job in putting this together, the board was directed to the SoBo Redevelopment Site Plan Review document, beginning with page 1 and going through 12. Their findings will be included in this document.

- A. General - requirement met
- B. Building design – Consistent with standard requirements. Recommend to go to the Main Street design committee for review and comment. Limited to what can be done with the bus garage due to being on the Historic Register. No awnings are being proposed or even considered.
- C. Preservation of significant natural features – Significant attention to historic details are being observed.
- D. Streets – Minor alterations will be done, rebuilding of one of the existing S. Lake street bump outs. Handicapped parking spots were discussed and identified to be moved down by the new bump out.
- E. Access, driveways and circulation – Curb cut suggestions and changing the existing driveway to an entrance to a parking lot. Crossings existing on Front and Lake Streets will remain.
- F. Emergency vehicle access – Had no comments from the Police Chief or the Fire Chief; they saw no access issues.
- G. Sidewalks, pedestrian and bicycle circulation – The existing systems will be enhanced.
- H. Barrier-free access – They are proposing 4 – 6 barrier free parking sites on the One Water Street site, and 1 public site for the Lake/Front Streets project.
- I. Parking – With the combined proposed projects they are 16 parking spaces short. They were able to establish 39 parking sites for the new project. With dual function of the parking areas, and surrounding areas of public parking they are asking for a 20% reduction based on the dual uses of both projects.

****MOTION**

After board discussion, **motion by Neidhamer seconded by St. Dennis** to recommend and support a 20% reduction in parking based on the proposed dual uses of the project.

2015-2-16-7A.3

Roll Call:

Aye: Ellwanger, MacKenzie, Neidhamer, Place, and St. Dennis

Nay: Biskner and Kozlowski

Absent: Frasz and Meeder

Motion Carries

- J. Loading – Meets the standards
- K. Landscaping, screening, and open space – Meets the standards
- L. Soil erosion control – No changes
- M. Utilities – City utilities are currently available
- N. Stormwater management – Meets the standards
- O. Lighting – Will use Dark Sky sconces for the building entrances and at the tap room entrance. Spec sheets will be provided to staff
- P. Noise – Uses currently allowed in the district. The board would like to see sound proofing between floors and the walls to lessen the seasonal outdoor & indoor ambient music.
- Q. Mechanical Equipment – Meets all standards

- R. Signs – No signs have been proposed at this point, however, they must meet the Sign Ordinance standards
- S. Hazardous materials or waste – N/A
- T. Other agency reviews – Other agencies have been notified and compliance with appropriate agency review standards has been provided.
- U. Approval process - An agreement for the dumpster location crossing city property must be obtained from the City Commission. After board review and discussion, **motion by Place seconded by Ellwanger** to recommend preliminary site plan review with findings identified to be brought back to the Planning Commission after the Conditional Use is approved by the City Commission.

****MOTION**

2015-2-16-7A. 4

Roll Call:

Aye: Biskner, Ellwanger, Kozlowski, MacKenzie, Neidhamer, Place, and St. Dennis

Nay: None

Absent: Frasz and Meeder

Motion Carries

Public Hearing closed at 7:17 pm

Board took a brief recess at 7:18 pm

Board reconvened the meeting at 7:25 pm

Chair MacKenzie moved agenda item 7E up to this point in the meeting

Pre-application site plan review at 114 State Street - Owner John McClorey

John McClorey is approaching the board for a pre-application site plan review for his property on State Street. The building is in need of major repair, and he is contemplating a different use instead of putting a lot of money into the building. The lot measures 33 x 165 feet and is located in the Central Business District. What he is proposing is seasonal use of the site from April/May through October, for an open air park and event arena with food trucks, a stage, dry bar, fire pit and some smaller kiosks. The entire area will be fenced in with some decorative “see through” fencing to allow for the controlled access of pedestrian flow into the area for any paid events. The only access to the lot currently is through an alley behind the current structure, so is proposing the food trucks to be on the southern area of the lot. The structures that he is looking at are 8 x 20 ft shipping containers placed on the street end, also used for a dry bar and restrooms. The structure will be double stacked building blocks for the entrance. These structures will have electric in them, and water will be accessible to the food trucks and the restrooms. The dumpster will be in the back by the alley for easy access for dumping. They are looking at permeable materials to be used. The board had concerns about the style of the buildings and the lack of parking. In the Central Business District, these structures are not consistent with the design criteria; however, the Planning Commission does have the discretion authority to allow them. McClorey has gone before the Main Street design committee and they have given him the nod to the concept. In order to generate revenue, the dry bar, food trucks and kiosk areas would be rented out, and some events will be held that may require a cover charge. Within walking distance is public parking on River Street, a few spaces across the street, and the old Fochtman lot. Staff has to contemplate the parking numbers for the use of the proposals.

Biskner left at 7:50 pm

There is no access except from the alley, and not enough room on State Street to allow for a curb cut. In this older "industrial" part of town surrounded by banks, telephone switching office, party store, dental office and rehab office, this concept would lend to the uniqueness of the area. Board members and the audience liked the uniqueness of the concept and the eclectic style with new ideas being brought forward, however not sure how the ordinance would address this.

**Capital Improvement
Plan review and
recommendation**

In the agenda packet is the Capital Improvement Plan for the board's review and comment. The 6 year restructured layout is being shown for 2015 through 2020. After board review and discussion **motion by Place, seconded by St. Dennis** to recommend approval to the City Commission the 2015-2020 Capital Improvement Plan as presented.

2015-2-16-7B

Roll Call:

Aye: Ellwanger, Kozlowski, MacKenzie, Neidhamer, Place, and St. Dennis

Nay: None

Absent: Biskner, Frasz and Meeder

Motion Carries

**Schedule a special
meeting for Master Plan
Review**

MC Planning & Design was scheduled to follow up on the Master Plan this meeting, however, due to the length of agenda items was postponed. A special meeting has been scheduled for Monday, March 9, 2015 at 5:00 pm in the auditorium to discuss this only.

**2014 Planning and
Zoning Report**

Also included in the agenda packet was the 2014 Planning and Zoning report for the board review. The Noise Ordinance has been used by the Police Department when noise complaints have been received. The Planning Department will be looking for an Assistant Planning Director. The food truck 90 day moratoriums has expired, and are currently attempting to identify a mediator to work with the two different sides. They have been operating on private property without any difficulties; however, the moratorium did not allow them to operate on public property.

**Staff Report
Good of the Order**

Staff Report – None

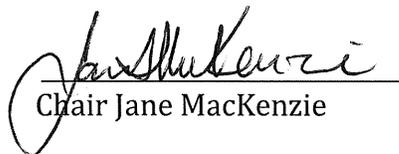
Good of the Order – Jim Kozlowski will not be available for the March meetings

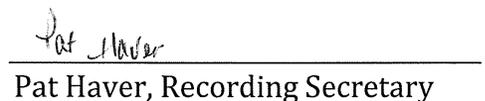
The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, March 16, 2015 at 5:00 pm in the Auditorium.

**Adjournment
MOTION

2015-2-16-10

MacKenzie moved, Kozlowski seconded, PASSED UNANIMOUSLY a motion to adjourn the February 16, 2015 meeting at 8:36 p.m.


Chair Jane MacKenzie


Pat Haver, Recording Secretary

CONDITIONAL USE FINDINGS **Appendix A**
SOBO Redevelopment Bank Drive Through *(use only not design)*

2.70 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:		
ORDINANCE REQUIREMENT	FINDING	RELEVANT FACTS
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, for landowners and residents who are adjacent thereto and for the City as a whole;	Met	The proposed drive through bank is part of a mixed use development that will include, restaurant, commercial and residential uses in the downtown district. The development will renovate and rehabilitate existing downtown structures that are currently vacant or underused.
2. The conditional use is compatible and in accordance with the goals, objectives and policies of the City's Comprehensive Plan;	Met	The proposed use of the property is consistent with the proposed use as shown in the Vision for Boyne City, Boyne City Master Plan. The Boyne City Waterfront Master Plan and the SOBO development plan
3. The conditional use is necessary for the public convenience at that location;	Met	Proposed use will provide a full service bank with drive thru windows in a downtown location. <i>Past indications for the use by the aged or limited driver, handicapped and drivers with children in the vehicles for convenience in not getting out of their vehicles</i>
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;	Met	The proposed drive through use will be located within the first floor of a multi story development and completely enclosed <i>partially open</i> with facades that will be compatible with surrounding buildings. The 2 and 3 stories above shall be used for residential uses.
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;	Met	The proposed use will redevelop an existing historical structure and vacant building. Building size and mass is consistent with existing surrounding structures.
6. The conditional use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;	Met	The proposed use will have a drive thru bank that will have an ingress and egress from Front. St. Signage and pavement treatments shall be installed to identify sidewalk crossings.
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;	Met	Public water and sewer are currently available to the site and the parcel is in close proximity to public services and facilities.
8. The conditional use will not cause injury to the value of other property in the neighborhood in which it is to be located;	Met	It is not anticipated the proposed use will negatively affect property values.
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.	Met	The assembly of persons in connection with the use is anticipated to be consistent with existing surrounding uses and not be hazardous to life or property with the district and not incongruous with normal traffic.

CONDITIONAL USE FINDINGS **Appendix A**
SOBO Redevelopment Bank Drive Through *(use only not design)*

ORDINANCE STANDARD	FINDING	RELEVANT FACTS
<p>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;</p>	<p>Met</p>	<p>Proposed use is the redevelopment of a existing parcel and It is not anticipated the proposed use will produce levels of smoke, odors or noise or other nuisances that would be in excess of current levels found in the downtown.</p>
<p>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</p>	<p>Met</p>	<p>The use is proposed to have a ingress-egress drive on Front Street. <i>Treatments to identify driveways so awareness for pedestrians is maintained</i></p>
<p>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 XIX, regarding site development and shall insure that::</p> <p>(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.</p> <p>(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.</p>	<p>Met</p>	<p>While the conditional use is in compliance with proposed zoning ordinance standards the proposed amendments allowing drive through for financial institutions in the CBD have not yet been adopted. Application would need to receive final approval of Conditional use and Development plan subsequent to the adoption of the proposed drive though amendment.</p> <p>Motion by St. Dennis, seconded by Ellwanger the recommendation if the ordinance amendment is approved by the City Commission; the preliminary approval of this drive thru plan. Upon the final effective date of the ordinance; the final approval of the Conditional use and Development plan proposed drive though is required by this commission.</p> <p>2015-2-16-7A.2 Roll Call: Aye: Biskner, Ellwanger, Kozlowski, MacKenzie, Neidhamer, Place, and St. Dennis Nay: None Absent: Frasz and Meeder Motion Carries</p>

Application for

SoBo Re-Development

Site Plan Review

with a **Re-Zoning** of One Water Street
to provide additional parking,
and a **Conditional Use Application**
for a drive-through use at the SoBo Re-Development

Submitted to:

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



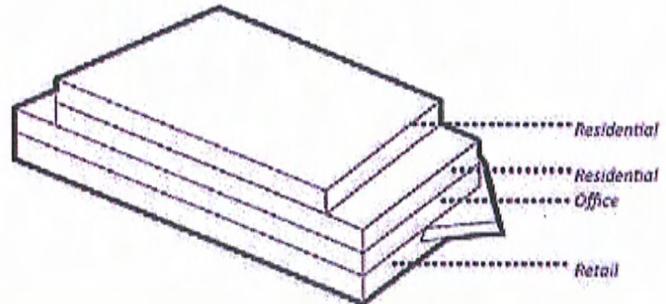
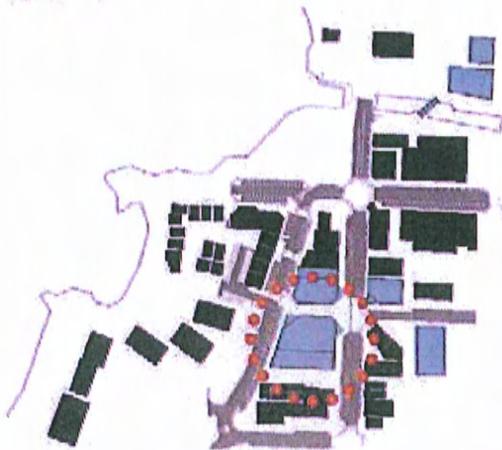
Article 19 -Development Requirements
Section 19.40. - Development Plan Approval Criteria

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:

- A. **General[ly].** 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, including those of the applicable zoning district(s).

The proposed re-development of buildings between Lake Street and Front Street in the heart of downtown Boyne City is direct compliance with the SoBo Lake Front MEDC Development Plan developed by Peter Allen & Associates.

SITE A



Existing conditions: Vacant multiple retailer and office space. The current lake view corridor is to the right of this image.



Suggested addition to the building proposal: activate the view corridor with patio tables from the restaurant and twinkling lights to create a warm and inviting atmosphere.

SOURCE: Centigol Austin, TX

The proposed mixed-use re-development will offer a variety of commercial and residential uses at a pedestrian oriented scale adding to the lively social environment of Boyne City's downtown district.



Renovating the existing Lakefront Mall building with a new three story building is an efficient use of the land and existing public services.

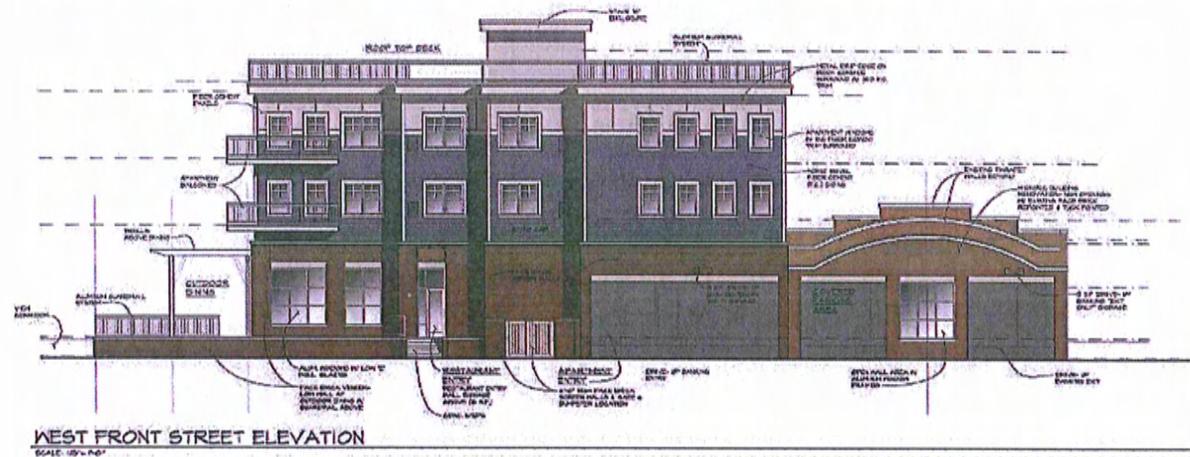
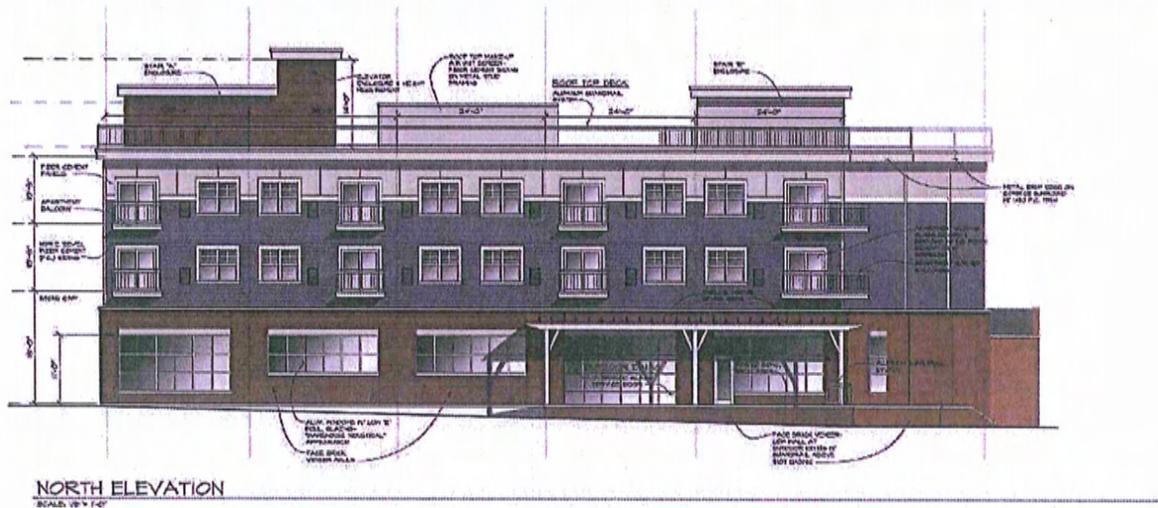
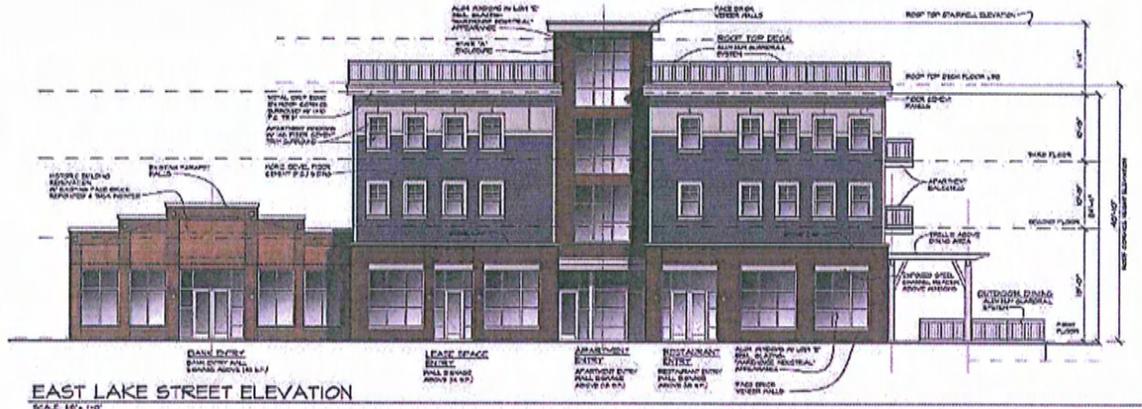
The ground floor of the new building will contain the new location of an award winning northern Michigan restaurant and tap room. The restaurant will front both Lake and Front Streets with an outdoor seating area located along the Ray Street pedestrian corridor.

Also on the ground level is a 2,400 square foot space available for lease.

The upper two floors of the building are 1 and 2 bedroom apartment units contributing to the important residential density which keep downtown areas lively and successful. A rooftop deck will offer residents an enjoyable outdoor space with views of Lake Charlevoix.

The historic brick building will be remodeled for use as a local bank branch, including a drive-through teller window along Front Street. The entire drive-through including the required vehicle stacking distance is tucked within the historic structure, therefore preserving the urban integrity of the street front. The applicant is respectfully requesting that a conditional use be granted to allow for the drive-through which is not allowed in the Central Business District.

B. Building design. 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.



The three story mixed use development project proposed by Glen Catt, president of Catt Development, Inc., consists of the following mixed uses:

1. Sheet A2.1: First floor restaurant of 4,804 gross square feet (g.s.f.), lease space of 2,421 g.s.f., and vertical circulation, and upper apartment entry spaces of 2,786 g.s.f. Renovation of an existing 4,678 g.s.f. (covered parking not included) single story historic building renovated into a branch bank with a covered drive thru and parking area. Total gross square footage of building footprint of 14,689.
2. Sheet A2.2: Second and third floor residential apartments consisting of 10 MSHDA apartments per floor (twenty units total) of 11,412 g.s.f. per floor. Each floor will have (5) five one bedroom units and (5) five two bedroom units. Two of the two bedroom units will have an additional master bath per floor (4 total).
3. Total Building: 37,513 gross square feet
4. Sheet A2.3: Roof top deck consisting of a 5'-0" wide perimeter concrete paver walkway and 20'x 20' sitting areas located at the corners of the building at prime viewing areas. An optional low profile vegetative roof (green roof) is under consideration.
5. The apartments shall be design per the 2012 Michigan Building Code and the MSHDA Handbook for "Standard of Design". All units will be designed per ADA barrier free requirements under ICC/ANSI A117.1-2003. There shall be one "Type A" accessible unit with the rest of the units being "Type B" units per Chapter 11 "Accessibility" requirements.
6. The three story mixed use structure shall be of steel column and beam structural framing using pre-cast concrete floor systems with a 2" concrete topping. Non- combustible exterior and interior walls shall be of metal stud framing with gypsum board wall surfaces and insulation in the stud spaces. The exterior base of the building shall be faced with 4" brick veneer and "densglas" sheathing. The upper apartment floors shall be of horizontal 6" bevel fiber cement siding (refer to sheets A5.1 & A5.2).
7. The entire development shall have an automatic fire suppression system installed. Under Type 111A construction (including the historic building): One hour fire rated wall assemblies between restaurant, apartments, lease space & bank. One hour fire rated floor/ceiling and roof assemblies. One hour fire rated interior walls assemblies. Entire structural steel frame shall be protected with one hour fire rated assemblies. Vertical exit stairwells and elevator shaft protected with a two hour (masonry block) fire rated assemblies.
8. Sheet A5.1, A5.2 Exterior Elevation Design: The architecture of the mixed-use facility convey historical building elements reminiscent of lakeside maritime structures of wharf buildings, canneries, and industrial warehouses with large square shaped metal framed windows separated by massive brick piers and columns. The 16' high brick base of the building relates to existing business district structures. Exposed window steel lintels, outdoor dining area steel trellis, and metal roof cornice convey a rugged "wharf side" character to the building. Face brick with large glass expanse is further indicated at the apartment entrance and vertical stair circulation feature (Lake Street East Elevation) which helps to identify the apartment entry component of the development. The entrance

setback and vertical brick material change creates a relief in the elevation plane into smaller building elements, as well as provide a prominent central feature to the building.

The upper story apartment's double hung grid windows, trim boards, horizontal bevel siding materials, simple roof cornice and balcony and guardrail features further explore the historic nautical (and residential) architecture of the past. The roof top guard rail feature ties proportionally with the roof cornice element as well.

The existing historic building will be completely renovated into a new branch bank facility. The existing face brick and stepped parapet front façade feature shall be repointed and tuck pointed (all elevations of the building exterior). New grid aluminum frame windows to be installed. The existing "non- historical" roof canopy element will be removed and the window heights enlarged to match original opening height (11'-0"). All historical face brick feature to be repaired as required. The existing bowstring roof trusses and roof rafter framing is to be further investigated for structural integrity and stability to carry additional snow drift load of new north side construction. The height of the existing roof bowstring trusses (20' to arch crest from floor line) determined the 18' (possibly 20') floor to floor height elevation of the new structure due to south side apartment window locations and roof drainage issues of the existing building. Roof cornice height (roof top deck floor) from grade is 40'-10" as indicated.

C. *Preservation of significant natural features.* Judicious effort shall be used to preserve the integrity of the land, existing topography, and natural, historical, and architectural features as defined in the ordinance from which this section was derived, 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.

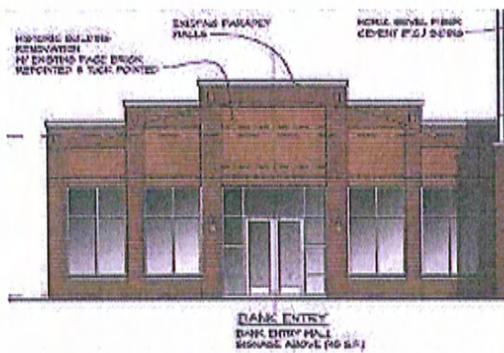


Existing Lake Street building elevation

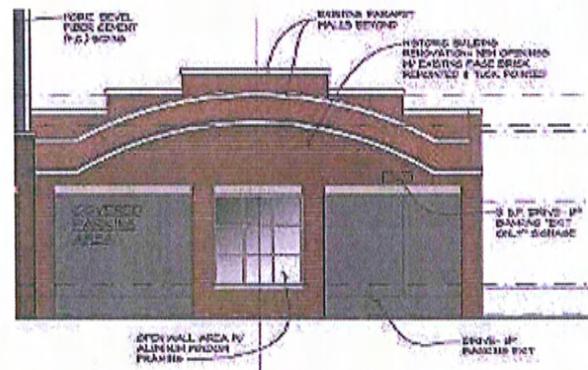


Existing Front Street building elevation

The SoBo Lake Front MEDC Development Plan identifies the existing building at the south end of the project site for preservation of its historic brick façade. The existing building will be completely renovated for use as a local bank branch with a drive-through banking window located within the structure along Front Street. The applicant is pursuing a request for conditional zoning to allow the drive-through use in the Central Business District.



Proposed Lake Street building elevation



Proposed Front Street building elevation

- D. Streets.** 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.

The proposed SoBo Lake Street Building Project is fronted by Lake Street to the east and Front Street to the west. The project involves remodeling and reusing the historic brick building on the south end to be used as a bank branch, as well as completely replacing the obsolete Lakefront Mall Building on the north end. Construction of the development will not impact the existing municipal streets. The new buildings will continue to be serviced by the existing municipal streets.

- E. Access, driveways and circulation.** 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.

The proposed redevelopment project will be accessed by existing municipal streets, Lake Street and Front Street, with associated on-site parking areas designed to City Standards.

- F. Emergency vehicle access.** 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.

The proposed building will be accessible via municipal streets on two sides (east and west), and by a private alley to the south, and a private parking area to the north.

The three story portion of the building will be sprinkled for fire suppression.

- G. Sidewalks, pedestrian and bicycle circulation.** 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.

The Proposed SoBo Lake Street Building redevelopment project is located in the heart Boyne City's walkable downtown waterfront, with frontage along municipal sidewalks on Lake Street and Front Street, and is central to all of Boyne City's downtown amenities.

- H. Barrier-free access.** The site has been designed to provide barrier-free parking and pedestrian circulation.

The proposed building provides barrier free access along Lake Street. The three story building is equipped with elevator access to the upper floors.

- I. **Parking.** 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.

Modifications to reduce density and increase parking at the One Water Street site will help to accommodate the additional parking requirements for the proposed redevelopment of the SoBo building on Lake Street through shared parking between the two developments.

Parking Count

Proposed SoBo Buildings

Office -Bank with drive-through	5 per 1,000sf	4,600 square feet	23
Office -Bank with drive-through	2 per ATM	1 ATM	2
Office -Bank with drive-through	5 per window	1 window	5
Restaurant -7 Monks Tap Room	1 per 100sf	4,800 square feet	48
Commercial lease space	1 per 250sf	2,400	10
Apartments -1 bedroom	1.5 per 1 bed unit	10 units	15
Apartments -2 bedroom	2 per 2 bed unit	10 units	20 parking spaces
			123 parking spaces required for proposed uses

Existing SoBo Buildings

Lakefront Mall Building	1 per 250sf	12,700 square feet	51 parking spaces
Brick Building	1 per 250sf	6,900 square feet	28 parking spaces
			78 parking spaces as required for existing uses

44 additional parking spaces required for the expanded uses at the new SoBo Building

Proposed Modifications to the One Water Street Site

reduce Residential Uses by 4 units			25 parking spaces
reconfigure parking lot for 25 additional parking spaces			25 new parking spaces available at One Water Street

Parking Adjacent the New SoBo Buildings

on-site parking in the Ray Street corridor			7 parking spaces
on-site parking along Front Street			4 parking spaces
Lake Street on-street parking			10 parking spaces
front Street on-street parking			15 parking spaces
			36 public parking spaces

Our parking calculations show that the larger building size and additional uses proposed at the SoBo Lake Street Building require 44 additional parking spaces beyond what's required as an existing condition.

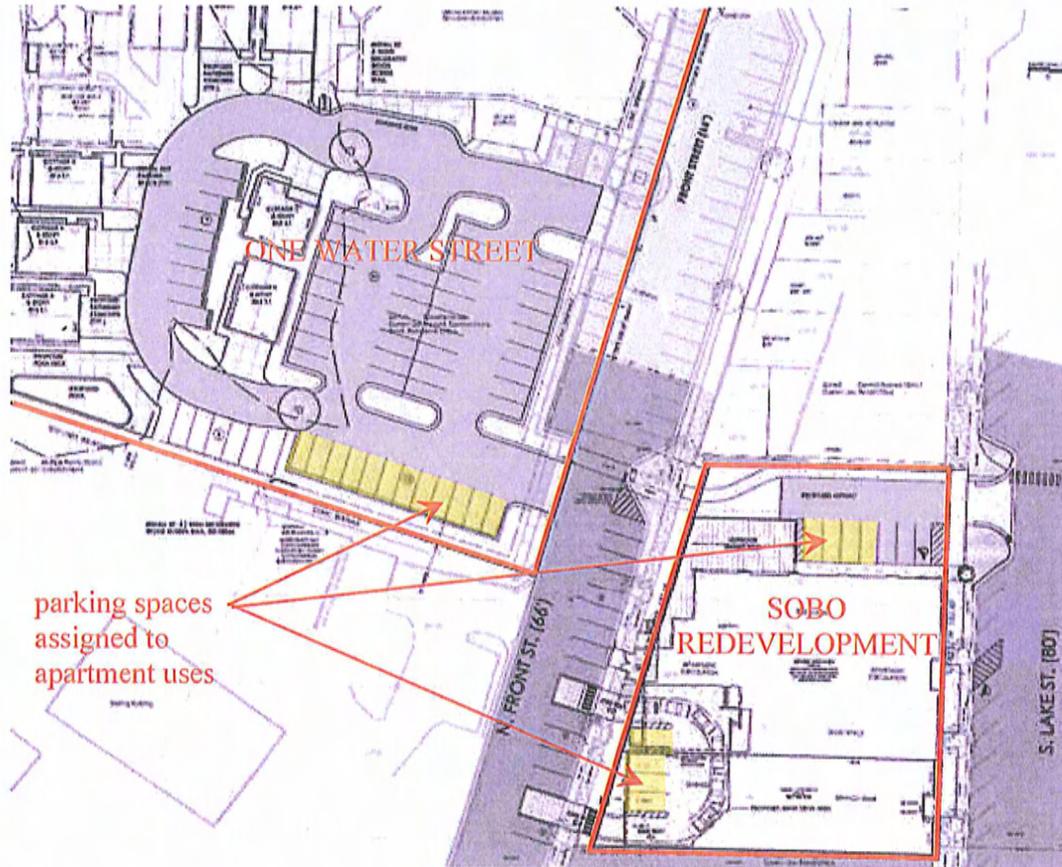
The changes at One Water Street will have created 25 new parking spaces available for uses within the proposed SoBo Lake Street Building.

Therefore leaving us with a parking space deficit of 19 parking spaces (15%).

In the spirit of the socially interactive intent of the proposed mixed-use development which provides a variety of mutually supporting uses, encouraging social interaction and pedestrian accessibility within the downtown area, we respectfully request a waiver of the parking space requirement. If we may be permitted to presume a 20% credit for shared use parking spaces, a standard previously used within the City, our parking requirements would be met.

Assigned parking for the proposed Apartment Use:

Residential Parking at the SoBo Lake Street Building requires 35 total parking spaces for the 20 proposed apartment units. The developer proposes to assign one parking space (20 total) per residential unit for the sole use of that apartment unit. 2



- J. Loading.** All loading and unloading areas and outside storage areas, including refuse storage stations, shall be screened in accordance with this ordinance.

The proposed building is designed so that both the Lake Street side and the Front Street side are a proper building front. There is no back to this building.

Loading and unloading for uses within the building will occur along the main streets and will have to be scheduled for convenience. The dumpster is located along Front Street. It is located behind a parking space and hidden within an enclosure to match the building façade. Parking in the space will be limited during the hours of scheduled refuse pick up.

- K. Landscaping, screening, and open space.** 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.

The existing urban landscape does not provide for much landscaping beyond the existing street trees within the public sidewalks. City sidewalk hardscaping including brick and concrete sidewalks will be maintained or replaced as required through the redevelopment project. Existing street trees and lamp posts will be preserved, protected and replaced as required. The Front Street building frontage will be enhanced with modern layered landscaping that continues to the Ray Street view corridor.

A brick dumpster screen wall will be planted with climbing evergreen vines.

The residential apartment units will have access to a rooftop deck as well as close walkable proximity to City parks to meet their open space needs.

- L. **Soil erosion control.** 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.

The proposed project includes a rehabilitation of an existing building and a redevelopment of an obsolete building. There is very little opportunity for soil erosion as part of this downtown urban redevelopment project. The appropriate measures will be taken to ensure that no soil washes onto the adjacent roadways or into the municipal storm sewers and all proper permits will be obtained prior to beginning work.

- M. **Utilities.** Public water and sewer facilities shall be available or shall be provided for by the developer as part of the site development, where such systems are available.

Municipal sewer and water is readily available on both Front Street and Lake Street. Connections to municipal utilities will be made to City standards with the proper permitting.

- N. **Stormwater management.** 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. All such measures shall comply with the Charlevoix County Stormwater Ordinance.

Stormwater volumes for the redevelopment of these City lots will be much the same as the existing conditions since there is proposed little change in the impervious lot coverage for the new project. Stormwater will be handled by municipal storm sewer and will comply with current municipal standards and permitting.

- O. Lighting.** 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.

Building mounted lighting at entrance doors is a decorative sconce with nautical and industrial design styling. The light source emitted will be a soft glow appropriate to the pedestrian scale and will not interfere with adjacent street traffic.

Illumination relating to proposed future signage will meet the standards of the ordinance and be submitted to the City for required signage permits.

- P. Noise.** 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.

The only site equipment that emits any noise including condensing units and air exchange equipment is located in a screened enclosure in the middle of the rooftop and will therefore not be audible to surrounding uses.

- Q. Mechanical equipment.** Mechanical equipment, both roof and ground mounted, shall be screened in accordance with the requirements of this ordinance.

Roof mounted mechanical equipment is located in a screened enclosure in the center of the roof and is not visible from the street level. Existing and proposed ground mounted equipment and utilities are located along the Front Street side of the development and will be incorporated into the proposed landscaping.

- R. Signs.** The standards of the City of Boyne City's Sign Ordinance are met.

Wall mounted sign locations are illustrated on the architectural elevation drawings to City Ordinance standards for the purpose of this review process. Future business owners within the structure will submit actual sign requests as part of the City's sign permit application process.

- S. Hazardous materials or waste.** 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.

This standard of criteria is not applicable to the proposed mixed-use development because none of the businesses or uses proposed involve the use, manufacture or storage of hazardous materials.

Uses proposed on site include a restaurant and tap room rated top 100 beer bar in the country, a local bank branch, a commercial/retail lease space, and 20 residential apartment units.

- T. Other agency reviews.** 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.

- U. **Approval process.** 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.