

CITY OF HARBOR SPRINGS
PLANNING COMMISSION
MEETING MINUTES
MARCH 16, 2017

Chairman Smith called the Planning Commission Meeting to order at 6:03 p.m. in the City Council Chambers of City Hall, 160 Zoll Street, Harbor Springs, MI 49740.

1. Roll Call and Verification of a Quorum

Present: Andrew Bowman, Mark Buday, John L. Cupps, Jack Deegan, Lee Kramer, Sara Smith

Absent: Jeanne Benjamin, Jeff Ford, and Carrie Wiggins

Also Present: City Manager Thomas C. Richards, City Planner Larry Nix, Planning & Zoning Administrator C. Jeffrey Grimm, and City Clerk Nick Whitaker

2. Approval of Minutes

Chairperson Smith stated that consideration of the approval of the February 16, 2017 Planning Commission Meeting Minutes would be deferred to the next meeting.

3. Public Comments and Correspondence

None

4. Old and New Business

A. Public Hearing: Ordinance 403, Downtown Signage

Vice Chairperson Smith opened public hearing. Planner Nix provided an overview of the proposed changes to the downtown sign ordinance within the central business district which will allow for additional signage and will make signage more friendly and pedestrian oriented. Business owner Diane Gillian of Yummies asked the board if she was in compliance and if she would be grandfathered in after having the same signage for twenty years. Planning & Zoning Administrator responded with stating that these changes should bring her signage into compliance but that it would need further evaluation.

A motion was made by Bowman, second by Buday, to close the public hearing.

Ayes – 7

Nays – 0

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Absent: Benjamin, Ford, and Wiggins

Motion carried.

B. Consideration of Ordinance 403, Downtown Signage

Member Kramer asked for clarification on the allowance and placement of message board signs as referenced in the proposed ordinance. Planning & Zoning Administrator stated that the sign could be a portion of a wall sign, and only a freestanding sign if it sits twenty feet back from the property line, which is very limited in the central business district as most businesses sit much closer to the property line. Chairperson Smith entertained a motion to approve the ordinance.

A motion was made by Bowman, second by Buday, to approve Ordinance 403 for City Council consideration, as stated below:

New section 50.207(16) added to read as follows:

(16) Sign, Message Board. *A sign with a message that can be changed periodically by mechanical means, such as by adding or replacing a preprinted message, using hand writing or using changeable letters. A message board sign is subject to all other restrictions on signs in this Zoning Code as are now or hereafter adopted. Section 50.1204 of*

Chapter 50 of Title V of the Code of the City of Harbor Springs is hereby amended by amending subsections 50.1204(4) 50.1204(5) and subsection 50.1204(6) to read in their entirety as follows:

(4) *A combination of up to four (4) wall/window signs and one (1) projecting sign may be used provided the combined sign area does not exceed the maximum sign area per building determined under Section 50.303(9). Each side of a projecting sign shall be counted in calculating the total allowable area even if not lettered upon. In addition to the sign area determined in Section 50.303(9), a total of two (2) pedestrian level signs are permitted at the entry of the business provided each sign does not exceed one (1) square foot in area; further, one (1) message board is permitted, provided such sign does not exceed six (6) square feet in area.*

(5) *If an establishment has an entrance to the Merchant's Walkway the establishment shall be permitted one (1) additional wall sign which may be located on a building wall facing the Merchant's Walkway, provided such sign shall not exceed six (6) square feet in area.*

(6) *If an establishment has an entrance on two (2) streets in the Central Business District, the establishment shall be permitted one (1) additional wall sign which may be located on a building wall facing the non-primary street entrance in the Central Business District (as determined by the applicant), provided such sign shall not exceed six (6) square feet in area."*

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Ayes: Kramer, Deegan, Smith, Cupps, Bowman, Buday
Nays: None
Absent: Benjamin, Ford, and Wiggins

Motion carried.

C. Public Hearing: Ordinance 404, Special Land Use Expiration Date

Vice Chairperson Smith opened public hearing. Planner Nix discussed the differences between the current and the proposed change to the Special Land Use permit. The change would increase the expiration date of the permit by 6 months. Mayor Brown asked if there were any contingencies in the permit language based upon the permit applicants funding of the project they are proposing. Planner Nix stated that laws in the State of Michigan do not allow for a limitation to be put on such permits pertaining to financing or funding, however, you can request an applicant to bond for improvements to a project. Member Buday also questioned the number of times an applicant can request a six month extension. Planner Nix clarified that the language states that “the Planning Commission may grant an extension” “for such a period of time not to exceed six months”, which indicates a one-time extension.

A motion was made by Cupps, second by Bowman, to close the public hearing.

Ayes – 7
Nays – 0
Absent: Benjamin, Ford, and Wiggins

Motion carried.

D. Consideration of Ordinance 404, Special Land Use Expiration Date

With no further discussion, Member Deegan made a motion to approve Ordinance 404 for City Council Consideration, second by Cupps, to approve the Special Land Use for 500 W. Summit as submitted with the condition that the accessory living quarters (guest quarters) is restricted to the current footprint of the existing building and for use as described in the zoning code.

Ayes: Buday, Bowman, Cupps, Smith, Deegan, and Kramer
Nays: None
Absent: Benjamin, Ford, and Wiggins

Motion carried.

E. Consideration of Harbor Springs Estates Site Plan

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Chairperson opened the discussion for the Site Plan review for Harbor Springs Estates. Zoning & Planner Grimm stated that the Harbor Springs Estates original site plan, reviewed and approved in January 2016, and has since expired. They have presented minor changes to the original plan. Harbor Springs Estates representative, Kathy Johnson briefly review some to the changes from the original plan, stating that the footprint has not change, the roof changes did not make the structure higher, it simply has been modified to appeal to the aesthetics to the new construction. Planner Nix further stated that the biggest change is the addition of a covered area near the front of the entrance, no other major changes have been made, and the lighting will meet the requirements and recommends the Planning Commission considers approval.

A motion was made by Cupps, 2nd by Kramer, to approve the site plan for Harbor Springs Estates as presented.

Ayes: Kramer, Deegan, Smith, Cupps, Bowman, Buday
Nays: None
Absent: Benjamin, Ford, and Wiggins

Motion carried.

F. Consideration of 720 N. Traverse St. Site Plan

Chairperson Smith opened the discussion for the Site Plan review for 720 N. Traverse Street. Applicant Dan Warner reviewed the plan and explained the need for additional parking at the site to alleviate the congestion, and better the appearance of the lot, allowing for 28 additional parking spots. Chairperson Smith asked if they planned to build. Applicant Warner indicated that may be part of phase two. Further discussion was had about sidewalk surrounding the pavement. Planner Nix further clarified that parking lot will be paved; catch basins, detention basin, concrete apron, and sidewalk and curb returns will be constructed. Applicant Warner stated that the design and fabrication of the asphalt paved parking area will include a modification for future installation of a floor drain and grease trap to connect to the sanitary sewer lead. Planner Nix stated that there is no lighting on the proposed plan and wanted to clarify if there had been any lighting planned at all. Applicant Warner noted that no, there would be no lighting. Planner Nix recommends the proposed site plan, noting that that approval of this plan does not guarantee an approval of phase two.

A motion was made by Bowman, 2nd by Cupps, to approve the site plan for 720 N. Traverse Street as presented.

Ayes: Kramer, Deegan, Smith, Cupps, Bowman, Buday
Nays: None
Absent: Benjamin, Ford, and Wiggins

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Motion carried.

G. Consideration of revisions to by-laws specific to board member attendance.

Planning Commission Members discussed the board's by-laws relative to member attendance at meetings. Mayor Brown read from the current by-laws, stating that "any member missing 3 consecutive regular meetings without a valid excuse shall be reported to City Council for removal and replacement." Member Deegan stated that any previous attendance issues have been addressed and does not feel any action to change the by-laws would be necessary at this point. After further discussion it was determined that the Planning Commission will re-address this issue a year from now to determine the need for further consideration.

H. Parking requirements for businesses

City Manager Richards discussed the City's need to re-address parking. Several businesses have recently contacted the City about the potential for opening a business in the Central Business District, however, when the topic of parking requirements was addressed it was cause for the business owner to re-consider Harbor Springs as a potential location. City Manager Richards further stated that the problem is not that the City doesn't have enough parking; it's that the parking policy isn't doing anything to cure the problem. Planner Nix stated that the City should consider revising the City code section referring to the "in lieu of parking fund" and suggested it be further discussed at future meetings so that the appropriate language can be established for a formal recommendation to Council.

5. Member Comments

None

6. Adjournment

With no further business, Vice-Chairperson Smith adjourned the meeting at 7:16 p.m.



Nick Whitaker, City Clerk