

CITY OF HARBOR SPRINGS  
PLANNING COMMISSION MEETING  
MINUTES  
September 18, 2014

Chairperson Walstrom 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: Jeanne Benjamin, Andrew Bowman, John Cupps, Jeff Ford, Lee Kramer, Sara Smith and Fred Walstrom

Absent: Jack Deegan and Carrie Wiggins

Also Present: City Manager Thomas C. Richards, City Planner Larry Nix and City Clerk Ronald B. McRae

City Clerk McRae acknowledged that a quorum was present.

2. Approval of Minutes

Motion by Benjamin, second by Kramer, to approve the minutes of the June 19, 2014 Planning Commission Meeting as read.

Ayes – 6

Nays – 0

Motion carried.

3. Public Comments and Correspondence

None

[Enter John Cupps 6:05 p.m.]

4. 669 State Street – SLU Request for a Parking Lot Expansion

A. Public Hearing

At 6:06 p.m., Chairman Walstrom called the Public Hearing on the Special Land Use (the “SLU”) request for use of the parcel at 669 State Street as a parking lot.

Chairman Walstrom asked Warner if he would give a brief explanation of the SLU request.

Warner stated that the Harbor Springs Car Care, his business, currently leases parking spaces from the owners of the former realty office across Lake Street. However, should the parking spaces no longer be available, additional parking would be necessary. Therefore, it is proposed to demolish the house and garage next door, 669 State Street, the lot immediately to the south of the Harbor Springs Car Care. After the demolition, the parking lot, currently located to the west of the single car garage, would be extended east to the lot line. Warner stated that there would be no lighting, no work done on vehicles in the proposed parking area, and traffic would be entering the northwest corner of the lot off Lake Street and exiting on State Street. The parking will also help with snow removal, which has been a concern for years.

Joretta Bethke, 120 East Lake Street, asked if the parking lot would be considered or zoned commercial because it is currently residential due to the house on it. Planner Nix stated that the lot is zoned TR – Transitional Residential. Residential use is an allowed use in the TR – Transitional Residential Zoning District. A parking lot is also an allowed use in the TR - Transitional Residential Zoning District.

Leslie (Buck) Neesley, 640 Harrison Street, questioned the use of the west gate to the parking area behind the garage on 669 State Street. Neesley stated that his house is located 100 feet to the west on the west side of the alley which runs north and south from Lake Street to Summit Street from the current parking lot. He also stated that he hears hoods closing, cars being worked on and other types of noises related to automotive repair. Buck also stated that the west gate is used for ingress and egress from the parking lot.

Warner stated that the garage and auto repair noises have been there for decades, long before he owned the garage and Neesley purchased his home. Currently, the only time the west gate is used is for large vehicles and for snow removal. Further, there is no work done on vehicles in the parking lot at 669 State Street.

Craig S. Markos, the owner of 665 State Street, expressed his concerns in a letter to City Manager Richards. Connie Warner stated that had addressed the concerns expressed by Mr. Markos and believes that all of his request will be satisfied by the plan. Warner stated that a swale along the south side of the parking area would provide protection form vehicles and accommodate water run-off, pursuant to the recommendation of Benchmark Engineering. She stated that the lot would have no outside lighting. There would be no working on vehicles parked in the parking lot at 669 State Street.

Planner Nix reviewed the proposed plan with the Planning Commission. He stated that perhaps the Planning Commission may want to require some screening along State Street.

Other than the State Street screening, Planner Nix complimented the applicants on the proposed site plan.

Other than the State Street screening, Planner Nix complimented the applicants on the proposed site plan.

Hearing no further comments, Chairman Walstrom closed the Public Hearing at 6:28 p.m.

B. Consideration of the Special Land Use for a Parking Lot at 669 State Street

The Planning Commissioners discussed the proposed site plan submitted for the proposed SLU Permit. They thought that having the hedge planted the full length of the proposed parking area along the south lot line would help the noise issue.

Neesely asked the Planning Commission to require the west gate to be closed so that no vehicles can enter or exit into the alley. Planner Nix stated that the traffic flow of the parking lot entering in the northeast corner gate and exiting on State Street addresses that concern.

Chairman Walstrom noted concerns that currently parking is allowed on both the east and west sides of State Street-narrowing the traffic lanes. Planner Nix stated that the issue with State Street is a City issue, not an issue that Warner can address.

Warner stated that he cannot stop parking on State Street. The parking lot, as proposed, is not large enough to handle employee parking and parking for all of the cars being maintained. However, the amount of parking on State Street may be reduced. The parking lot will also help with the snow removal issue. Further, Warner stated that the facility is maxed out. There is no more room for expansion.

After the discussion, the following motion was offered:

Motion by Bowman, second by Cupps, to approve the Special Land Use Permit for a parking lot at 669 State Street, with the following conditions:

1. There shall be a screening fence constructed the full length of the south lot line, subject to the limitations of the City Zoning Code;
2. There shall be a hedge planted on the north side of the fence to span the full length of the south property line;
3. There shall be no outside lighting for the proposed parking lot; and,
4. The west gate to the parking lot shall be used for snow removal, emergency access or as need to accommodate large vehicles.

Ayes - Ford, Cupps, Kramer, Smith, Walstrom, Benjamin and Bowman

Nays - None

Absent - Wiggins and Deegan

Motion carried.

Warner stated that he did not plan to make the changes immediately. He requested when his deadline was to exercise the SLU Permit for the parking lot. Planner Nix stated that his approval for a SLU would expire unless the City receives his application for a building permit within 180 days of SLU approval. We advised Warner that the Planning Commission can consider and grant extension, not to exceed six months.

#### 5. Site Plan Approval for 130 State Street

Commissioner Bowman vacated his seat to present the Site Plan proposed for 130 State Street, his property. Bowman stated that the property in question was the Juilleret Restaurant Property. Bowman reviewed the proposed site plan.

The primary changes to the property were:

1. Outdoor dining area on the north side of the restaurant dining room with a door (similar to an overhead garage door) that can be opened in warm weather;
2. Moving the pedestrian easement next to the south side of the Erwin Building. A five (5) feet utility easement currently exists. The new utility – pedestrian walkway easement would be approximately twelve (12) feet wide;
3. Removal of the old restrooms and cooler area and construction of new restrooms and cooler area;
4. Construction of a dumpster and transformer enclosure with a bicycle rack on the west side of the enclosure;
5. Installation of a green space north of the outside dining area, back to the transformer; and
6. Changes to the building such as window replacement, a new awning, and some operational considerations.

Bowman discussed his conversation with the owner of the Erwin Building proposed changes of the utility and pedestrian easement, the potential use of the transformer and dumpster enclosure for some garbage containers for the Erwin Building occupants.

Planner Nix stated that he believes that the changes that Bowman proposes for the Juilleret Restaurant property keeps the popular institution in place, but expands the potential use to year round and uses the City's Zoning Code to the benefit of the owners and the public.

Motion by Kramer, second by Cupps, to approve the proposed site plan for the Juilleret Restaurant Building with the following condition:

1. City Council's approval of the moving of the pedestrian walkway easement to the south side of the Erwin Building, creating a twelve (12) feet utility and pedestrian walkway easement.

Commissioner Ford stated that he believed that he needed to abstain from the vote due to the fact that his firm would be doing the construction work on this project. Chairman Walstrom concurred with Commissioner Ford.

Ayes - Cupps, Kramer, Smith, Walstrom and Benjamin  
Nays - None  
Absent - Wiggins and Deegan  
Abstentions - Bowman and Ford

Motion carried.

City Manager stated that he would take the request to City Council to move the pedestrian walkway easement to the south side of the Erwin Building to create a twelve (12) feet utility and pedestrian walkway easement.

6. Member Comments

Commissioner Ford suggested that the City take a look at the Merchants' Walkway because it is need of maintenance. The steps need to be repaired and the Walkway be inspected for defects. City Manager Richards stated that he would look into this issue.

7. Adjournment

With no further business, Chairperson Walstrom adjourned the meeting at 7:29 p.m.

Ronald B. McRae, City Clerk