

CITY OF HARBOR SPRINGS  
PLANNING COMMISSION MEETING  
MINUTES  
November 19, 2015

Chairperson 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: Jeanne Benjamin, Andrew Bowman, John L. Cupps, Jack Deegan, Jeff Ford, Sara Smith and Carrie Wiggins

Absent: Lee Kramer and Fred Walstrom

Also Present: City Manager Thomas C. Richards, City Planner Larry Nix, Assessor / Planning & Zoning Administrator C. Jeffrey Grimm, Fred Hackl, Lyric Theater Representative, Dan Gorman, John Hennessey's Representative, and John Lio

2. Approval of Minutes of October 15, 2015 meeting

Motion by Cupps, second by Wiggins, to approve the minutes of the October 15, 2015 Planning Commission Meeting as read.

Ayes – 6

Nays – 0

Motion carried.

3. Public Comments and Correspondence

None

4. Old and New Business

A. Lyric Theatre – 275 E. Main St. - Site Plan Review and Consideration

[Enter Jack Deegan 6:08pm]

Vice-Chairperson Smith stated she receives a financial benefit from the Lyric Theater for services to the Lyric Theater. In her opinion this relationship creates a conflict of interest. As a Planning Commissioner, she excused herself from the discussions of the site plan approval. Smith also stated she would abstain from the vote of the site plan approval.

Fred Hackl, the Architect of record for the Lyric Theater, explained the details of the plans to convert the building into a Theater, keeping with a classic theme.

Larry Nix discussed several items. The items were:

- The size of the lettering on the canopy. The lettering cannot exceed three (3) inches in height.
- The drainage of water into a storm sewer instead of a sanitary sewer. Further, the sewer main that runs under the building. The sewer main hinders the ability to slope the floor for theatre style seating.

The Planning Commission discussed the possibility of an amendment to the City's Zoning Code to allow the theatre to have larger lettering on the canopy. Further, the Planning Commission stated that Hackl will need to confer with the City's Department of Public Works (the "DPW") to either move or find a way to work around the sewer main.

Motion by Bowman, second by Deegan, to approve the site plan with the following conditions:

1. Address the lettering on the proposed awning to:
  - a. Amend the site plans to get the lettering currently proposed on the awning to the allowed height;
  - b. Obtain a variance from the Zoning Board of Review to allow the lettering on the awning as proposed; or,
  - c. Work with the City Manager to amend the City's Zoning Code to allow for a greater maximum letter height for theaters.
2. Work with the DPW to move the sewer main or come up with an alternative solution.

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

Motion carried.

B. Public Hearing – Richard Hennessey – 211 E Bluff Dr – Special Land Use (Guest Quarters)

Vice-Chairperson Smith opened the meeting to the public hearing regarding a Special Land Use (SLU) for 211 E Bluff Dr.

Jeff Grimm reviewed a phone conversation with a neighbor concerned that her shared easement access with the subject property would be obstructed during the construction process. Dan Gorman, Architect of Record for the Hennessey Project, stated he would have the contractor keep the easement clear.

Gorman described the site plan. Gorman reviewed the removal of the non-conforming garage and reviewed the new garage, with guest quarters on the second floor. Gorman stated that the new garage would be constructed to comply with current zoning. A letter from Richard Hennessey, the owner, was presented. The letter explained that the use of the guest quarters would be for overflow of family members when they came to visit.

Larry Nix brought up concerns regarding the utility hook ups and a few other concerns not addressed in the site plan. The concerns expressed by Planner Nix were clarified by Gorman. Ford suggested that Gorman work with the city regarding utility hook ups.

Smith asked for public comments. There were no public comments.

Motion by Ford, second by Benjamin, to close the public hearing

Ayes - 7

Nays - 0

Motion carried.

C. Consideration – Richard Hennessey – 211 E Bluff Dr – Special Land Use (Guest Quarters)

Vice-Chairperson Smith asked if there were any other Commissioner concerns. There were none.

Motion by Ford, second by Cupps, to approve the Special Land Use with the conditions that the owner follows the provisions set forth in Section 50.302 and 50.2100 of the Harbor Springs Zoning Code

Ayes - Benjamin, Smith, Deegan, Wiggins, Cups, Ford and Bowman

Nays - None

Absent – Kramer and Walstrom

D. Next Meeting

City Manager Richards stated that the next regular Planning Commission Meeting is scheduled for 6:00 p.m., Thursday, December 17, 2015.

5. Adjournment

With no further business, Vice-Chairperson Smith adjourned the meeting at 6:35 p.m.

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C. Jeffrey Grimm, Zoning Administrator