

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, January 14, 2019 - 6:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order

The meeting was called to order at 6:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair: Sherm Chamberlain

Members Present: Ben Edwards, Toni Felter, Brian Gelb, Rick Golding, Dennis Halverson, Jennifer Muladore, Phillip Parr, RJ Waddell

Members Absent: None

Staff Present: Mark Heydlauff, City Manager; Kathy Egan, Community Planner; Jonathan Scheel, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Member Golding, second by Member Edwards to approve the agenda as presented. Motion passed by unanimous voice vote.

E. Approval of the Minutes

1. December 10, 2018 Minutes

Member Felter noted that the meeting date needed to be changed from November 12, 2018 to December 10, 2018. Motion by Member Gelb, second by Member Muladore to approve the minutes of December 10, 2018 as corrected. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Novus Software Training

City Manager Heydlauff presented an informal training session and responded to questions from the members.

2. Election of Officers

Motion by Member Felter, second by Member Halverson to nominate Sherm Chamberlain as Chair for the next year. Motion passed by unanimous voice vote.

Motion by Chair Chamberlain, second by Member Muladore to re-appoint RJ Waddell as Vice Chair for the next year. Motion passed by unanimous voice vote.

3. Bylaws Review

Planner Egan summarized the recommended changes to the bylaws. Motion by Member Parr, second by Member Waddell to approve the changes to the bylaws as recommended. Motion passed by unanimous voice vote.

4. Sign Illumination – Draft Language Review

Planner Egan stated that current Zoning Ordinance language does not account for new types of lighting such as halo lighting. Administrator Scheel explained the proposed language, and specific types of halo lighting. Planner Egan stated that she would present a few changes for the Commission to review again before scheduling a public hearing.

H. Old Business

1. Accessory Dwelling Unit (ADU) Standards

Planner Egan reviewed each section of the proposed draft standards for accessory dwellings. After discussion the general consensus was to stay with two parking spaces and no additional parking required for the ADU.

Chair Chamberlain questioned if they could legally state that a property owner could not designate an ADU as a condominium. Planner Egan suggested that the City Attorney could answer that question. The Commission discussed various scenarios and Administrator Scheel stated that ADUs have everything except stoves in their units. Member Parr questioned if the addition of a stove in an ADU was prohibited. Administrator Scheel replied yes but, in the proposed ordinance the unit with the addition of a stove, could become a second living unit in new and retrofitted construction. Discussion followed regarding

the occupancy standard. Planner Egan stated that her next step was to incorporate ADU standards into a Zoning Ordinance amendment and to bring that back to the Commission for review.

2. Review of Draft Definitions for "Building Height" and "Dwelling Unit"

Planner Egan stated that the "Building Height" definition was adjusted to account for rooftop mechanics and a slight change to the definition of "Dwelling Unit" and an addition for "ADU". Administrator Scheel further explained the proposed change that defined the vertical distance that would exclude structural elements not intended for habitation and not exceeding 15' above the minimum building height. Discussion followed regarding the specifics of the building height change, mechanical components that could be on a roof, 15' perimeter, and screening requirements. Member Golding noted his commercial property management experience and he disagreed with the height. He noted that a 3-story building can be serviced by a hydraulic elevator. Member Parr questioned if the Hotel Earl project wanting to put an elevator to the roof was the reason for this discussion. Administrator Scheel agreed. Planner Egan referenced Section 5.66 (5). Member Gelb recused himself since he was an adjacent homeowner to the property being discussed. Members Golding and Parr reiterated their objection to the 15' height. Member Golding stated for a hydraulic elevator to be able to service four floors they were not talking about a mechanical room going to the roof, they were talking about a structure that's going to provide access to the mechanical room. It was generally agreed to limit mechanical units and elevators to a maximum of 6' on roofs. Planner Egan referenced the revised definitions for the various categories of dwelling units and there were no additional changes.

3. Recreational Vehicle (RV) Storage Draft Language

Administrator Scheel explained the contradictions in the current Zoning Ordinance regarding RV storage. There was discussion as to whether storage of canoes, kayaks, boats, jet skis, etc. were covered by these regulations. Dialog continued regarding noise, sanitation, and parking issues; and the number of days to allow RVs to be used for lodging purposes on a parcel with a principal building. The consensus was to allow RVs for lodging purposes for no more than seven days. Chair Chamberlain stated they will public notice the seven-day limitation within 60 days, parking in the front yard would be a Zoning Board of Appeals issue, and allowing outdoor under storage to be added under the fifth bullet. Planner Egan stated that she would present draft changes at their next meeting.

I. Staff Updates

1. Miscellaneous Follow-up from December Meeting

The Commission concurred to obtain only one monthly copy of the P & Z News and Michigan Planner newsletter that could be shared among the members.

J. Request for Next Month's Agenda or Research Items

Planner Egan reported that City Council wanted to help promote year-round housing availability, so they want to look at short-term rentals again to tighten up the regulations. Administrator Scheel stated that he received approximately 80 short-term rental applications for the first year and they had numerous complaints about one particular property.

Administrator Scheel stated that he was doing a Level A review on a wharf whereby the property owner was asking to remove the existing rotted waterside decks and rebuild larger decks. He stated that he also received an application for a multi-use facility at 220 Ferry Avenue which would become the new home of the Charlevoix Yacht Club with rental facilities on the upper floors.

K. Adjournment by 8:00 PM Unless Extended by Motion

Motion by Member Felter, second by Member Halverson to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 7:56 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair